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Die-Human, Born Human.

The Life and Posthumous Trial of Shin Ukkaha, a pioneering Burmese monk during a tumultuous period in a nation's history

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Die-Human, Born Human.

**The Life and Posthumous Trial of Shin Ukkatṭha, a
pioneering Burmese monk during a tumultuous period in a
nation's history**

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By

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Abstract

This thesis examines the life, teachings and posthumous prosecution of the Burmese nationalist monk Shin Ukkatṭha (1897-1978), who in 1981 was posthumously found guilty of misinterpretation of the Buddha's teachings. His case is the most famous of seventeen Vinicchaya trials conducted by the State Saṅghamahānāyaka Committee (SSC) established under Ne Win. Chapter One provides context, the self-regulation of the Sangha in the Pali canon, the switch to regulation by the king, and the history of *vinicchaya* 'judgements.' The transition in the remit of *vinicchaya* (*wi-neik-sa-ya* in Burmese) from monastic rules to beliefs reflects the crisis in Burmese Buddhism in the British colonial period. Chapter Two looks at Shin Ukkatṭha's life. From a family impoverished after his parents' arrest for funding a rebellion led by the grandparents of Aung San, as a novice monk Shin Ukkatṭha excelled in poetry and writing. After he had pursued his education to the highest level in Burma, he spent seven years in India, debating with nationalists, members of different religions, theosophists, ex-untouchables and global Buddhists. Shin Ukkatṭha's response to colonialism was both practical and philosophical. He set up a school for the poor on his return from India, which, while teaching Buddhism and secular curricula, also offered a base for rebels and left wing groups. Writing over 30 books, he questioned the authenticity of canonical texts and reinterpreted rebirth on the basis of Darwin, producing his famous 'Die Human Born Human' theory. These views were shared by contemporary thinkers in India, including Evans-Wentz and Lama Kazi Dawa-Samdup, co-authors of the *Tibetan Book of the Dead*, but were unacceptable to the conservative Sangha hierarchy in Burma. Expressing his views freely under the British, he was tried for them by the SSC. Chapter Three explores this and the other 16 cases tried by the SSC.

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Introduction

This thesis examines the life, teachings and prosecution of Shin Ukkatṭha, the Burmese nationalist monk who in 1981 was posthumously found guilty of misinterpretation of the Buddha's teachings. He is famous for reinterpreting the doctrine of rebirth in *saṃsāra* in the light of Darwinian evolutionary theory, such that humans cannot be reborn in a state lower than the human realm. This theory is called 'Die Human, Born Human', *Lūthelūhpyit*. His case is one of the seventeen cases tried in Vinicchaya or 'judgement' hearings by the State Saṅghamahānāyaka Committee (SSC) of Burma since its establishment in 1980 under General Ne Win. The questions that I want to answer in this thesis are: 1) How did it come about that a monk, who gave his life to protecting Buddhism, to educating Burma's poor and to the nationalist cause, could be judged heretical by Burma's highest Sangha authority. 2) What influences led him to reach such views, which clearly have no authority in the Pali Canon. 3) How were views so current in mainland India in the emerging global Buddhism such anathema to the Burmese Sangha? 4) Why did the Burmese Sangha, in contrast to Sanghas of other Theravada nations, develop such a stringent process for ensuring centralized conformity and how does that process work? 5) Why did Shin Ukkatṭha stick to his views in the face of the Sangha hierarchy's opposition and the lack of canonical support?

To answer these questions, I will need to look at the complexities and challenges of regulating the Sangha; at how Buddhism was affected by colonialism and by its internationalization; at how this influenced Shin Ukkatṭha, and at the characteristics and institutions of the Burmese Sangha in the colonial and post-Independence period. Primarily I am interested in religious subjects: how the Dhamma was affected by the modern period and how we may understand Shin Ukkatṭha as a religious figure. Inevitably, I must also consider the political context, at the international, national and Sangha level. Nonetheless, it is religion and religious influences rather than politics that form the focus of my interest.

Political Timeline of Burma

While I shall discuss aspects of early Buddhism and early Theravada literature by way of background, the events and developments that take centre stage in this thesis all

take place between the commencement of the British colonial period and the final stages of the military government in Burma. Before proceeding with my discussion, I shall therefore provide a brief timeline here, so the names and dates of the relevant changes of power and heads of state may be easily known.

Political timeline in Burma

1926, first British annexation (Assam, Manupur, Arakan, Tenasserim in Lower Burma)

1952, second British annexation (all of Lower Burma)

1885, third British annexation, entire country

1942, Japanese invasion, British retreat

1945, End of WWII, British return, Japanese defeat

1948, Burmese Independence

1948-1956, U Nu served as first Prime Minister

1956-1957, U Ba Swe as temporary Prime Minister

1957-1958, U Nu second term as Prime Minister

1958-1960, Ne Win as Prime Minister in military caretaker government

1960-1962, U Nu third term as Prime Minister

1962, military coup led by Ne Win

1962-1988 Ne Win administration: Ne Win as Chairman of the Union Revolutionary Council till 1974, Ne Win as President till 1981 and as Chairman of the Burma Socialist Programme Party till 1988; 1981-1988 San Yu as President.

1965, Ne Win's first attempt at monastic reform, not successful

1974, U Thant riots

1980, Ne Win's second attempt at monastic reform, successful. Formation of SSC (State Saṅghamahānāyaka Committee)

1988, Ne Win steps down after nationwide general industrial action

1988 Jul-Aug, Sein Lwin as President

1988 Aug-Sept, Maung Maung as President

1988-1992, Saw Maung, as Chairman of the State Law and Order Registration Council (SLORC)

1992-2011, Than Shwe, Chairman of the State Peace and Development Council (SPDC)

2011-2016, Thein Sein as President

2016, Htin Kyaw as President (Aung San Suu Kyi, state counsellor)

Literature Review and Historical Context

In Burma Ukkatṭha's is the most famous of the Vinicchaya cases, by far. In spite of this, with two brief exceptions, I have yet to see discussion of him or his case in English-language publications on Burma. Indeed, the Vinicchaya cases in general, although one of most high-profile mechanisms for exerting control over the Sangha and ensuring purity of the *sāsana* (Buddhist religion) in modern Burma, receive scant mention. This may be down to a number of reasons. The most detailed English-language work on the relationship in modern Burma between Buddhism and the state is E. Michael Mendelson's hugely important *Sangha and State in Burma: A Study of Monastic Sectarianism and Leadership* (Mendelson 1975). Its publication in 1975 was achieved only through the editorial work of John P. Ferguson after ten years of working on it. Mendelson himself had left Burma studies and given up on publishing the book (Carritthers 1977: 476). Thus the subject of Mendelson's book dates back to more than a decade earlier than its release. Further, Mendelson had left Burma in 1959, and his account only extended as far as the military take over by General Ne Win in 1962. Therefore while Mendelson does mention an earlier case against Ukkatṭha (there 'Okkata'), one held during the caretaker government and U Nu's premiership (1959-63)¹, he had left Burma by the time that the situation had resolved, and long before the 1981 case. He wrote,

I therefore conclude this book as U Nu and his Buddhist Revival exit from the scene and the Sangha faces a socialist military government determined to put the Sangha to work on observing the Vinaya and to end the Order's role in politics. The silence of the Sangha since 1962 may be due not entirely to the drastic problems in communication and information flow. The story of the effect upon the Sangha of the long army reign has not yet been told.
(Mendelson 1975: 355)

¹ U Nu was the first prime minister of the post-Independence period (r.1948-1956), Ba Swe was the second, as a temporary stand in (r.1956-1957), before U Nu returned (r.1957-1958), then came Ne Win, the third, as caretaking government (r.1958-1960), U Nu for a third time (r.1960-1962), then Ne Win again (r.1962-1988). Shin Ukkatṭha was held in 1959-1963 under the reigns of Ne Win, U Nu and Ne Win again.

With that sentence, Mendelson's monograph closes. The lack of communication and information flow he mentions, i.e. the difficulty for the outside world of finding out what had been happening in Burma extended several decades further, as did the long army reign, until 2011. As a result, Western writings on Burma in the interim have been scant, despite the work of a small group of scholars who continued to write on Burmese Buddhism. In the past decade, in particular very recently, there has been a spate of publications on Burmese Buddhism dealing with the early modern period (e.g. Charney 2006, Braun 2013, Turner 2014) and more recent developments, such as the Saffron revolution and the rise of Islamophobia (e.g. Schober 2010, Gravers 2012). There have also been overview histories of the modern period, such as Michael Charney's *A History of Modern Burma* (2009). These have all been important for me in setting the context for Shin Ukkattha, as have recent works on the 19th to early 20th century networks in which new views about the nature of the Buddha's *dhamma* developed (e.g. Bocking et al. 2014, Cox 2015). However, there has been no work on the details of state-sangha relations taking up where Mendelson stopped. In particular, there has been no detailed account of the workings of the body set up under Ne Win to support and control the Sangha, namely the State Saṅghamahānāyaka Committee (SSC).

The "silence of the Sangha" noted by Mendelson did not continue, if it was ever really the case. While the "Saffron Revolution" of 2007 has become the most well known of its responses to the Burmese government, it had been the strength of the Sangha's voice, whether individually or collectively, that had motivated not only the attempts of U Nu to conciliate and introduce centralised administration to the Sangha noted by Mendelson (1975: 354), but also the interactions with it of his successor, Ne Win (Charney 2009: 115-120). Mendelson noted the military government's desire to end the Sangha's role in politics. In part, this was a reflection of the political stance of many leading members of the military at the time – that government should be secular, and religion separate – but it was also a response to the ethnic problems that have faced Burma since independence, sustaining one of the world's longest-running civil wars. These ethnic tensions had flared up following the attempts of U Nu, a devout Buddhist but one playing to the majority Burman Buddhist electorate, to make Buddhism the state religion. However, since the Sangha continued to represent in many ways the people of Burma, as well as having a history of concern to ensure the

continuation of the Buddhist religion – which was perceived to be under threat – Ne Win could not ignore it. His first attempts to control the Sangha were unsuccessful. Nonetheless, he returned to this issue and, ultimately, succeeded where U Nu had failed. Ne Win managed to establish a body whose authority was accepted by most Sangha groupings: the State Saṅghamahāyānaka Committee (SSC). I shall examine its formation in Chapter Three.

In setting up the SSC, Ne Win reverted to the traditional role expected of the ruler of a Buddhist country, a role U Nu had sought to carve out for himself. This role, formerly expected of kings, takes as its model Emperor Asoka, to whom most Theravada countries trace their Buddhist origins, as well as certain Burmese kings, as I shall discuss in Chapter One.² The military government, contrary to its secularist leanings in the initial post-independence period, drew on this idealised relationship to garner popular support and exert influence through the Sangha nationally (Schober 1997, Gravers 2012). The relationship between Asoka and the Sangha famously included his providing, in the middle of the 3rd century BCE, the military clout to ensure the Sangha succeeded, around the time of the Third Council, in purifying itself of false views and ‘heretics’. This arrangement has been the precedent for state intervention in the Sangha, and for the Sangha in many countries to call upon the government for assistance. It is particularly pertinent to Theravada countries, which tend to associate the arrival of the *sāsana*, the ‘Buddhist religion’, with the missions of monks and relics of Asoka’s reign. Burma then has several further important narratives of kings sponsoring and intervening in the Sangha to ensure the success and continuity of the *sāsana*. However, the authoritative Pali texts that are ultimately taken as the authority for maintaining and purifying the Sangha until the modern period, make no mention of such external regulation. This has been noted by Andrew Huxley in various publications (see Chapter One). His work on this subject has been helpful in my closer analysis of the systems that the early Sangha had developed for self-regulation. We also see evidence of mechanisms for dealing with those who would not comply with the processes of self-regulation. I shall explore these different types of mechanism for regulation in Chapter One. I shall include in Chapter One a discussion of the authoritative literature of the Pali canon, especially

² Here I refer to the origins of the current *sāsana*, the teaching and Sangha. Many regions have accounts of visits from the Buddha, and even from previous Buddhas.

the *vinaya*, that both acts as evidence for self-regulation and as authority for other-regulation. I shall also discuss in Chapter One the history of the term and concept of *vinicchaya*, i.e. investigations into or judgements on correct implementation of Sangha regulation. I shall observe the growth of literature relating to this topic in Burma during the colonial period.

The Vinicchaya court cases run by the SSC take as their justification this purificatory role: the necessity of purging the Sangha of those who do not practise according to the monastic code, *vinaya*, or who do not teach according to the doctrine, *dhamma*. This in turn ensures the longevity of the *sāsana*, the decline of which has been a concern for the Sangha since at least the colonial period. There had been previous attempts to set up such courts, including under U Nu. For example, in 1959, under the caretaker government between U Nu administrations (see Chapter Two), Shin Ukkatṭha underwent an earlier monastic trial held in response to a book that he had published the previous year. In it he had put forward his famous, *Lūthelūhpyit* "die human, born human" theory which radically revised the traditional Buddhist teachings about *saṃsāra* and rebirth. This is the teaching of his that we shall examine most closely in Chapter Three of this thesis. It took for four long years until the state *ovādācariya* monks, the state *vinayadhara* monks and the organization of the Abbots decided that Shin Ukkatṭha and his fellow monk, Shin Vāsava, should be subject to the formal action of *pakāsaniya* and defrocked (Religious Affairs 2005: 2-3). However, without the backing of the temporal authorities, i.e. the judiciary, the military and the police, the court could not prove fully effective and Ukkatṭha remained a monk. This point about the lack of effectiveness is also made by Khammai Dhammasami, the other of the two scholars writing on Burma in English, who has made brief mention of the case of Shin Ukkatṭha. In his survey of Buddhism in Burma, Dhammasami writes,

The present Burmese saṅgha administrative system ... does offer an opportunity for the saṅgha to strengthen the harmony of Theravada Buddhist beliefs, with the support of the state. The system is both more effective and democratic today. It is effective, because the system recognizes the existence of various fraternities that existing (*sic.*) accordance with the dhamma and vinaya while bringing them under the same administration at the highest level. ...

This effectiveness has seen the saṅgha coming together to take action against individuals or groups distorting the teaching of Theravada Buddhism. For example, in the early 1980s, a group called *luthe-lupyit* (Only Human) who rejected the authenticity of almost the whole Tipiṭaka, except a handful of suttas, and the existence of all realms but human. This particular powerful group of heretics followed the interpretation of a learned monk, Ukkattha who studied Sanskrit, Hindi and English in India; he was knowledgeable in religions and world affairs, with a keen interest in communism. He was seen as thorn in the flesh by the majority of the saṅgha. In 1961, under U Nu government, members of the saṅgha from Rangoon formed a saṅgha court consisting of twenty-seven saṅgha judges who ruled that his belief and interpretation not to be in accordance with the Buddha's true teaching. But with no central saṅgha administration in place and weak government, the ruling by the saṅgha court had no effect. (Dhammasami 2012: 162-163)

Dhammasami here represents the majority Sangha view of the rulings made by the SSC: those found guilty have been proven to be practising or preaching outside the confines of Theravada *vinaya* or *dhamma*. Thus the decisions of the SSC are by and large accepted. This is in part because of the extraordinary textual erudition brought to bear on each case by the panel of five monks who act as judges, as I shall explain in Chapter Three. The textual authorities in which they have expertise, as well as the history of the concept of *vinicchaya*, are described in Chapter One.

The effect of being found guilty in a Vinicchaya case is multifaceted. As an individual, one may in the extreme be defrocked, i.e. forced to leave the Sangha, if one refuses to recant one's false views or wrong practice. This is the same penalty as that imposed on someone who has transgressed one of the four *pārājika* (defeat) offences (see below). One may also be imprisoned for not complying with the Vinicchaya court (see Chapter Three). For one's group or following, it means a significant loss of prestige and popularity. It may indeed mean the end of the group. When one's teachings are ruled by the SSC to be 'false views' (Pali, *micchādiṭṭhi*), the involvement of the Burmese government makes the authority of the SSC much stronger than the Sangha authorities of the British and earlier Independence periods. During the height

of the SSC's power, while still under the military government, anyone who carries on teaching proscribed views or promulgating proscribed practice would probably be arrested, as happened in some of the cases we shall examine in Chapter Three. Furthermore, people around this person are likely to regard him/her as a culprit and fear associating with him. Thus, the group and its popularity would fade away to some extent. This happened in the case of Shin Ukkaṭṭha, whose group rapidly evaporated (Chapter Three). Nonetheless, a sufficient following remained to put together the biography, which will be one of the main resources for use in this book (Chapter Two). The extent to which such draconian measures or such a fearful response will continue now that military rule has ended is unclear. The SSC has been silent in relation to *Vinicchaya* cases since 2011, so the situation has yet to be tested.

I have mentioned that one may be defrocked if found guilty at a *Vinicchaya* court. There have also been points when the SSC has authorized the identification of certain monks as 'fake monks', thus giving the *junta* the power to defrock them.³ Anyone familiar with the *Vinaya Piṭaka* of the Pali canon, the most authoritative text on monastic discipline for Theravada Buddhists, will be familiar with the *pārājika*, the *vinaya* offences for which one may be forced to leave the Sangha, never to return to full ordination.⁴ In the *Vinaya Piṭaka* there are only four *pārājika* for monks, eight for nuns. Since there is no full nuns' (*bhikkhuni*) ordination lineage in Burma, I shall confine my discussion to those referring to monks, except where I briefly mention the disputed issue of *bhikkhuni* ordination in relation to the case of Ashin Ādiccavaṃsa and Ven. Saccavādī (Chapters Two and Three respectively). The four *pārājika* for monks are sexual intercourse, murder, grand larceny (theft to a high degree), and false claims of religious attainments. How then is it that other matters, such as false doctrine, can in Burma lead to one being expelled from the Sangha? In fact, wrong views were at issue in Asoka's intervention in the Sangha. Also, there is a long history in Burma of non-*pārājika* expulsion, as well as well-established popular rhetoric that refers to conduct above and beyond the four acts noted above as '*pārājika*'. I shall

³ On 8 November 2015, after I had completed writing this thesis but prior to my viva examination, the general election in Burma led to a landslide victory for Aung San Suu Kyi's National League for Democracy, ending the five decades of military rule, although members of the military remain in key positions. The effect of this on the regulation of the Sangha is as yet unclear; as yet there have been no *vinicchaya* cases since this victory.

⁴ One may reordain as a novice.

examine these issues in Chapters One and Two, but also analyse SSC judgements in relation to them in Chapter Three.

To put the development of these Vinicchaya courts in context, I have examined the history of the use of the Pali term *vinicchaya* ‘judgement’ and look at what it meant in Pali history, leading up to its modern usage in Burma (Chapter One). Until the colonial period, the term *vinicchaya*, ‘judgement’, referred entirely to matters of *vinaya*, monastic discipline, or the correct interpretation of the *vinaya* rules. Each judgement would be reached on the basis of a close examination of the various *vinaya* texts in the canon in relation to each other, in order to develop a correct interpretation, an interpretation in accordance with the word of the Buddha. These *vinicchaya*, while using canonical texts as their authority, were often responding to developments that occurred well after the time of the Buddha. From the earliest times, such considerations have been an important part of the development of commentarial Pali literature, and continue in Burmese literature to the present. As a result, later *vinicchaya* debates and texts refer back to an ever-increasing body of authoritative literature. For most of its history, such literature tackled matters of *vinaya*. In the colonial period, though, we begin to see the application of the term *vinicchaya*, and the process of examining authoritative literature to reach *vinicchaya*, extending to matters of *dhamma* too. This encompassing of *dhamma* within the process of *vinicchaya* laid the ground for the later development of the Vinicchaya courts trying cases that relate not to practice, but to belief, as in the *Die Human, Born Human* case.

Examining the transition from *vinicchaya* concerning *vinaya* to *vinicchaya* about *dhamma* will shed light on the profound crisis in Burmese Buddhism that resulted from the British colonial period and the varied responses to it. All Theravada countries developed responses to this crisis, largely motivated by the Sangha’s desire to prevent the disappearance of the *sāsana* and the catastrophic results for society, both collectively and for individuals, should that ensue. These varied responses reflect differing approaches to the loss of Buddhist kings as primary sponsors and adjudicators. They were influenced by exposure to new world views and to economic crises. They were reacting to the potentially positive economic and social benefits of Western-style education. Burma’s Buddhist response to colonialism was distinctive, including but not confined to the development of the Vipassanā (Mindfulness) meditation techniques that have become popular around the world both among and

beyond Buddhists.

Another Burmese response was a greater concern with correct *vinaya* and *dhamma*, leading to a burgeoning of *vinicchaya*-related literature. This in itself built upon the discourse of rivalry between groups in the different parts of Burma which, prior to the fall of the last Burmese king and annexation of all Burma, had fallen under different authorities: British and Burmese (see Chapter One). Without a shared lay authority to turn to, these rival groups had increasingly turned to the authority of canonical and commentarial texts in their interactions. This aspect corresponded with yet another response to colonialism: an increased scrutinizing of Buddhist texts and tradition to assess them for validity. This response built on existing practice, and the resulting broad base of textual expertise in the canon and its commentarial traditions made Burma the appropriate home for the Sixth Council.

The Sixth Council was organised in the first decade of independence under U Nu and took place in 1954-6. It created a new edition of the texts of the canon and commentaries. This increased scrutinizing of Buddhist texts was also partially stimulated by the arrival of new world views such as the heliocentric model of the universe and the way this challenged traditional Buddhist cosmology. Consequently, there were moves in several quarters towards harmonizing Buddhist teachings with Western teachings. Perhaps one of the most well known, earliest examples of this is the writings of the minister, Hpo Hlaing (1830-1883), who combined Western medical works with Abhidhamma (see Conclusion). Hpo Hlaing influenced the now internationally famous monk, Ledi Sayadaw, whose aligning of meditation with 'science' was one of the keys to Vipassanā meditation's survival and successful transmission through the colonial and independence periods (Crosby 2013: 3 and 42). These individuals contributed to broader processes of the 19th and early 20th century, in which people sought to find resonances between Buddhism and science, and to question aspects of the religion that did not fit into these views.

Shin Ukkatṭha's response to colonialism fell into this broader movement. He examined Buddhist teachings in the light of modern science, and in comparison with other religions. He did this on the basis of extensive study, reading and discussion, traveling to India to expand his knowledge of other religious traditions (Chapter Two). On the basis of his explorations, he felt confident in dismissing aspects of the Buddhist tradition and Buddhist texts, famously rejecting a canonical teaching found

in relation to the Sixth Council (above). Prime Minister U Nu, in a letter to the Sangha at the Sixth Council, asked about the famous account of the god Brahmā beseeching the Buddha to teach in the *Mahāvagga* section of the *Vinaya Piṭaka* of the Pali canon. According to this story, the Buddha began to preach only when the deity Brahmā requested him to do so.

The reason that U Nu was inclined to question this passage was the growing emphasis on Buddhism as rational and scientific. One part of this approach was a tendency towards regarding deities not as an integral part of Buddhism but as an accretion or result of syncretism.⁵ This was compounded by ethnic tensions, leading to a tendency to essentialise ‘Buddhism’ as separate from ‘Hinduism’ or ‘Brahmanism’. During the colonial period, the British imported Indian staff to do the business of empire, from farming to banking and administration; this, coupled with the immigration of Indians taking advantage of the work and business opportunities, led to Burmese resentment of Indians, as seen in several periods of unrest during Shin Ukkatṭha’s lifetime. Thus in Burmese discourse of the colonial and post-colonial period we see belief in gods as a topic contained in Buddhist texts, yet under attack from both within and without the Buddhist tradition.⁶ To the question posed by U Nu, Shin Ukkatṭha responded on behalf of the entire Sangha, writing,

The *Brahmayācanakathā* is not the Buddha's teaching, but an invention of Ceylonese monks; the genuine Buddha's teaching are mostly embedded only in the *Majjhimanikāya*. The *Samyuttanikāya* and *Aṅguttaranikāya* were devised by the Ceylonese monks. I came here to the Sixth Buddhist Council thinking the canon would be re-corrected logically, but [this council] only confirms the inscriptions of the Fifth Buddhist Council, which were formulated by the Ceylonese monks, on the marble slabs in Mandalay.

Ukkatṭha went on to say that the texts contained corruptions from Brahmanism (Shin Ukkatṭha 1955: 45-49).

⁵ On these processes, see Almond 1988, Skilton 2013.

⁶ The continuation of this process into the modern period has been clearly pursued by Holt, who has examined the essentialising of Buddhism and the rejection as Hindu of such things as the worship of gods, historically an inherent part of Buddhist tradition (Holt 2004).

We can see from this response that Shin Ukkatṭha had a particular view towards authority: it could and should be challenged, even the canonical texts. This reflects his background in dialectics in India, his education in different religious traditions and Western science, and it reflects one of a number of possible methods for arriving at a judgement. We can turn to the traditional Buddhist *pramāṇa* or ‘criteria for knowledge’, which are shared with other Indic traditions and form the basis of Indian logic. The four basic criteria for logical argument (there are more developed lists of these) are: word/scripture, direct perception, inference, and analogy (Lugli 2015). To conduct an argument with an opponent, both must accept the validity of the *pramāṇa* in question. Thus, if debating within one’s own tradition, scripture is usually the highest authority. However, if debating outside of the tradition or with someone who does not accept one’s scripture, scripture normally falls away from the list of *pramāṇa*, and direct perception moves into top place. As we shall see when comparing Shin Ukkatṭha’s arguments and response to the 1963 ruling against him with the arguments put forward in the 1981 trial against him, Shin Ukkatṭha and the Sangha authorities, represented by the SSC, diverged completely in their evaluation of these *pramāṇa*. For Shin Ukkatṭha, his direct perception is higher than scripture. Moreover, he is willing to take other ‘scripture’, such as scientific texts, into consideration. For Sangha authorities, especially the SSC, scripture, namely the Pali canon, is the ultimate authority (see Chapter One). In other areas of Burmese Buddhism, the acceptance of scripture is more variable, as seen, for example, in relation to beliefs about gods, but in Vinicchaya case law, scripture is the ultimate arbiter. This situation is distinctive to Burma, in contrast to other Theravada countries. The processes that made this so will emerge in the course of this thesis.

On the basis of his approach to argumentation and the sense of autonomy he felt in reaching conclusions, Shin Ukkatṭha presented many new interpretations of Buddhism. One of these, the most famous, was his ‘Die Human, Born Human’ teaching which rejected the possibility for a human being of subsequent rebirth in a ‘lower state’. In doing so, he rejected the traditional teachings of *saṃsāra*, the round of rebirth, and Buddhist cosmology, as well as those texts in the Buddhist canon that promulgate such teachings. The story of Shin Ukkatṭha’s arrival at this view is complex. Previously he had been willing to reject rebirth entirely (Shin Ukkatṭha 1963: 4). This position is one in fact found among many Western convert Buddhists,

and represents an agnosticism or a taking from Buddhism of those things found valuable in the modern age while leaving Western understandings of the universe and single-life existence in place. For Shin Ukkatṭha, this view was based on his critical thinking concerning the empirical verifiability of the human and animal realms, and the lack of verifiability of the heaven and hell realms that make up Burmese cosmology (Shin Ukkatṭha 1963: 100; Ashin Candajoti 1999: 69-71). It can also be traced in the theosophy and global Buddhism to which Shin Ukkatṭha was exposed in Buddhist circles in Yangon and, more extensively, during his seven years in India (see Chapter Two and Conclusion). While his teaching thus seems radical – and with hindsight we may be unsurprised by the guilty verdict – we should see it in the context of the radical rethinking of Buddhism during the colonial period. From our current vantage point, we can dismiss the Theosophists’ and Ukkatṭha’s views as products of their time that gave insufficient weight to the authority of the *tipiṭaka*, the Pali canon. However, other analyses of Buddhism expressed at the time, such as the rejection noted above of the broader Buddhist pantheon of gods, have continued to hold weight in some quarters, both in Asia and the West.

Ukkatṭha himself regarded his position as that of a ‘revolutionary’ Buddhist thinker, *tawlanay buddhabhāthā datthana pinya shin* and – in a small book written in 1966 in response to the 1963 verdict against him – he portrays himself as the last of a group of three such revolutionary Buddhist thinkers. He mentions that three ‘revolutionary’ books appeared within a century of each other, written by three Burmese monks: Ledi Sayadaw, Ashin Ādiccavaṃsa and himself (Shin Ukkatṭha 1966: 73). Like Ukkatṭha, the other two were also Burmese Buddhist nationalists. They all posed radical positions, wrote books to express them, but posterity has judged them very differently. In spite of a campaign against him, in response to the publication of his *Paramatthadīpanī* in 1897, Ledi Sayadaw is a national hero, held in international regard; he had already reached this status by the time of Shin Ukkatṭha’s writing in 1966. He is accepted as a representative of orthodoxy, against whose writings, teachings and, in particular, meditation lineages, and new or newly-scrutinized meditation traditions may be judged. The second ‘revolutionary’, Ashin Ādiccavaṃsa, was Ukkatṭha’s friend and mentor. He eventually disrobed. His radical position was his support for reintroducing the *bhikkhunī*, full nuns’, lineage into Burma. This topic remains controversial to this day as we shall see when examining the other

Vinicchaya of the post-U Nu period (Chapter Three). Shin Ukkatṭha was found guilty in 1963 for his Die Human, Born Human teachings. This judgement did not affect Shin Ukkatṭha's life, standing or following, as I shall explain, in contrast to the impact in 1981 when he was found guilty posthumously of this and 20 other failings: this almost extinguished his following. The latter case being posthumous, we have no response from Ukkatṭha. Therefore Ukkatṭha's 1966 response to the judgement in 1963 is valuable for our understanding of his thinking.

Returning to Dhammasami's brief characterization of Ukkatṭha, he notes his learning and his leanings towards Communism, and says that he was 'a thorn in the side' of most of the Sangha. Dhammasami also describes his following as 'powerful' (*loc. cit.*). I have mentioned briefly Ukkatṭha's learning and shall explore this further in the context of examining his life (Chapter Two). There we shall see that on the basis of that learning and his ability to engage in debate, he made important contributions to education and the defense of Buddhism in Burma, and was called on at important junctures when the reputation of Buddhism was at stake. For now, I wish to turn briefly to the issue of Ukkatṭha's Communism. It is only now, after the experience of such extreme examples of the Maoist Marxist revolution in Cambodia, that we tend to construe Communism as an extreme form of anti-Buddhism and thereby find Shin Ukkatṭha's possible sympathy for Communism remarkable. However, in his day, many Buddhists, including those of the international Buddhist networks in which Ukkatṭha participated during his time in India, had Communist leanings. It was only after Independence that there were attempts by the army to undermine rural support for Communism in Burma and they did so by providing education that it was anti-Buddhist. The extent to which Ukkatṭha would have described himself as a Communist is unclear, although he certainly was leftwing and had Communist sympathies (Chapter Two). He spoke out publicly in support of Socialism, in the immediate period after the military takeover in 1962, thus in support of the new government. Socialism has a complex relationship with Communism in Burma if looked at over the course of Shin Ukkatṭha's life. Meanwhile, he allowed his Okkata's Buddha Mission (OBM) school to provide a base for various anti-colonial organisations and claimed that students of his had gone on to become recognised figures in regional Communist organisations. Again, this is something which has to be seen in the context within which Ukkatṭha developed his teachings and practice.

During the colonial period, Burma and the Burmese suffered extreme exploitation by the British and other capitalists who built their wealth on the back of Burma's natural resources and its rice productivity. Opposition to capitalism was a natural response to this exploitation and Ukkattha did indeed declare himself an enemy of capitalism. He was also wary of engagement with those who might be associated with capitalism. When a social-religious group from America came to Burma and sought Shin Ukkattha's involvement in their peace project, he rejected their proposal saying, "I cannot betray our nation and our country, and I cannot sell our Sāsana [Buddhist religion]." He further made the accusation that capitalists always force others to obey their will (Myat Saing 1964: 75 346). This is interesting in that it suggests that an important concern for Shin Ukkattha was autonomy. He also refused to participate in pro-Japanese propaganda in the early days of the Japanese invasion (1942), at a time when many Buddhists did so on the basis of the Japanese being both Asian and Buddhist like themselves. During much of Ukkattha's lifetime, Communism was seen by many as a viable alternative to capitalism and – whether in its Russian or Chinese forms – Communism was highly influential in the thought and development of many Burmese who campaigned against colonialism or sought to rebuild Burma after the devastation of the Second World War. Aung San, often referred to as the 'father of the nation,' formed several political allegiances in his quest for independence from the British, Communism being one of them. We see in Ukkattha, who had both personal and family ties with Aung San, a similar concern with the quest for Burma's independence and economic welfare. While his rethinking of Buddhism was his intellectual response to the colonial period, he also developed a practical response to the economic problems brought on by colonialism and the devastation of World War II. These are seen in his anti-capitalism, his sympathy for Communism. As we shall investigate in Chapter Two, these religious and social concerns come together in his setting up of a school specifically both to protect Buddhism and to uplift the poor.

The connection that I drew between Aung San and Shin Ukkattha above is more than superficial. The two men came from the same part of Burma: their home towns of Taungdwingyi and Natmauk are both within Magway District, only around twenty miles from each other. Moreover, their fates were shaped by related circumstances, and their families connected. Aung San would later visit the school

that Shin Ukkatṭha opened after his return from India. Yet their shared histories go back to before Aung San's activism. Aung San was not the first anticolonial campaigner in his family and, as we shall see in Chapter Two, Shin Ukkatṭha's parents provided the financial or material backing for Aung San's grandfather, Bo La Yaung, in his rebellion against the British. This same rebellion influenced Shin Ukkatṭha and may well have led to his long ordination as a Buddhist monk, a common route by which young boys from poor backgrounds gain an education. For although his family had originally been wealthy, his parents forfeited their wealth for their part in the rebellion. We can be certain that this family history influenced Ukkatṭha's response to colonialism. Monks often rejected colonialism by rejecting all things foreign, many of them even avoiding learning English. This approach that led to a bifurcation between lay and monastic education during the period, a bifurcation later formalized in the rejection of secularization in Burmese monastic education (Shin Ukkatṭha 1961: 89, Dhammasami 2004: pp.287ff., Turner 2014, Kyaw 2015). Shin Ukkatṭha, in contrast, took the approach of equipping himself with a modern education. He studied English and Indian languages, the better to examine, and hopefully strengthen, his own tradition. This brought him into contact with a range of developments within the emerging global Buddhism and revival of Buddhism in India. It also meant that he could engage in Indian debating systems and anticolonial discourse. To assess the influence of these on him I have drawn on a range of works examining these broader networks. This broader picture allows me to assess why Shin Ukkatṭha ended up being so at odds with an establishment that essentially shared his values (Conclusion). As we shall see, this engagement in Western learning and foreign languages may have contributed to the distrust of him in more traditionalist quarters: many Buddhist people did not forgive monks for learning English, saying, using the metaphorical idiom I noted above, that in doing so they committed a '*pārājika* offence'. We shall explore the background to this bifurcation of approaches and Shin Ukkatṭha's personal response in Chapter Two.

In order to understand these aspects of Shin Ukkatṭha, I have drawn on several of the 30 or so books that he published in his lifetime. Shin Ukkatṭha was a dedicated scholar: according to the daily routine recorded in the Nat Hmī Taw:ya temple, where he lived from 1943 until his death, even late in life he committed half an hour each day to 'critical thinking' *Sin-zar-gyi*. I describe those of his books that I have found

information about in Appendix I and describe a few in greater detail at the end of Chapter Two. Given his dedication to learning and his well-honed skills in argumentation, I often find it hard to follow his debates, but I will do my best here, drawing on his work also in the discussion of his case in Chapter Three. In addition to his writings, I also draw on biographies including an autobiography by Ukkatṭha himself. I describe these sources at the beginning of Chapter Two. One of these works only appeared after I was in the final days of completing the writing this thesis in 2015. Because of its recent appearance only weeks before my submission date, I was able to make use of only a little of the material it contains. Also, because the biographies are incomplete in terms of coverage, as I shall explain, I have more indepth material for the earlier parts of Ukkatṭha's life. Nonetheless, I think these are the influential years for understanding the thinking behind his theory of 'Die Human, Born Human.'

A major resource that I have drawn on in writing this thesis is the volume published by the SSC following the guilty verdict in 1981. This volume is *lūthelūhpyit vādānuvāda vinicchaya*, *the decision on the Theory of 'Die Human, Born Human' and Related Teachings*. It comprises 1171 pages of material compiled at the time of the court case, but not published until 2005. I describe this text more extensively in Chapter Three, where I analyse its contents and what it says about the case built against Shin Ukkatṭha, after having first examined all the other SSC court cases to date. This volume is both extensive and learned, the product of five very erudite and experienced judges: Bhaddanta Ghositābhivaṃsa, aged 74 at the time of the Vinicchaya, Bhaddanta Javanābhivaṃsa, aged 72, Bhaddanta Dhammābhivara, aged 65, Bhaddanta Kumārābhivaṃsa, aged 59, and Bhaddanta Ñānika, aged 55.

As I mentioned at the outset of this introduction, I have seen scant mention in western literature of Shin Ukkatṭha's Vinicchaya case or of the cases prosecuted from the time of Ne Win. There have in recent years been a number of works discussing pre-independence and pre-British attempts at Sangha centralisation and purification in Burma. There have also been two volumes dedicated to Buddhist law, as well as a number of writings about Buddhist law in Burma. Of these the contributions by the late Andrew Huxley have been particularly helpful for my understanding of different approaches to Sangha regulation (Chapter One).

Since the Vinicchaya cases draw on the authoritative literature of the Pali

canon and its commentaries, as re-edited at the Sixth Council in the early post-independence period, as I shall explain in Chapter One, reading the 1171 pages of judgement requires familiarity with Pali canonical and commentarial sources as well as technical Burmese. While my knowledge of Western writings on Burma is relatively new and perhaps limited, my own expertise as a monk in Burma and as a lecturer at the International Theravāda Buddhist Missionary University, established in 1998, is in *vinaya*. It is through this background and my knowledge of Pali and Burmese *vinaya* materials that I hope to make a contribution to academic studies of Burma. It is my view that the case of Shin Ukkatṭha is of interest in its own right as well as as a window into so many of the distinctive aspects of the history of Buddhism in Burma during the colonial and independence periods.

Summary of the Structure of this Thesis

The thesis comprises three chapters, each dedicated to a distinctive theme. Chapter One looks at the mechanisms and textual authorities for the regulation of the Sangha in Theravada Buddhism. Chapter Two looks at Shin Ukkatṭha's life. Chapter Three looks at all the Vinicchaya court cases held since 1980, concluding with an examination of Shin Ukkatṭha's case.

In examining the mechanisms and textual authorities for Sangha regulation, Chapter One examines how these both developed and remained conservative with time. It therefore covers the extensive traditional literature on the subject. It looks at early mechanisms for self-regulation and the transition to external regulation, i.e. to Sangha-state relations under Asoka and how this was developed in Burmese history, particularly in the Konbaung and Independence period. By examining Shin Ukkatṭha's life, Chapter Two shows the various influences that informed his nationalism and his attitude to Buddhism and to education. It touches on the nature of the networks and worldviews in which he was engaged while in India. This will allow us to see how the popular image of Shin Ukkatṭha as a radical teacher of uncanonical views and a Communist sympathiser needs to be reassessed by locating him in the context of the time and explaining the forces at work behind his particular approach to defending Buddhism, Burma and the poor. Chapter Three explains the formation of the Saṅghamahānāyaka Committee (SSC), addresses the terminology of the term *gaing* and the fixing of the current *gaing* makeup of the Sangha with the SSC's formation. It

then gives an overview of the seventeen Vinicchaya cases tried to date, analysing the arguments and how SSC perspectives may differ from an outsider's approach to Buddhism. The last section of the Chapter is dedicated to a more detailed analysis of the range and depth of the cases – 21 in all – made against Shin Ukkatṭha. In the conclusion, I analyse how and why Shin Ukkatṭha held different views and used a different type of argumentation from the State Saṅghamahānāyaka Committee.

Chapter One:
Authorities and Models
for the Protection and Regulation of the Sangha

Shin Ukkatṭha (1897-1978) was a Burmese nationalist, who challenged the colonial government, rejected capitalism and worked in the defence of Buddhism. He is famous among Burmese nationwide for his victory in the Buddhist corner in a debate with Christians in Kyauk Kwin village, Pegu division, in 1936. His success in the debate apparently inspired reverse conversions to Buddhism. According to him the entire village, which consisted of about 80 families, converted to Buddhism (Myat Saing 1962: 2, 161, 186; Mya Din 198?: 264) (See Chapter Two). Popular, holding strong views that he was not averse to expressing, and coming from a family with a tradition of resisting colonialism, it is unsurprising that he was detained by two successive colonial governments of Burma, first by the British in 1942 and then by the Japanese only a year later, in 1943. What is surprising is that he found himself on the wrong side of the law under not just these two, but under four regimes in turn: for he was also prosecuted under the two highly nationalistic post-Independence governments of his lifetime, in 1959 by the democratic government under U Nu (1907-1995, in post 1948-1956, 1957-1958, 1960-1962) and, posthumously, in 1981, by the military *junta* under Ne Win (1911-2002, in post 1958-60, 1962-1988⁷).

Shin Ukkatṭha had a close friend and mentor, the monk Ashin Ādiccavaṃsa (1881-1950), who, as we shall see in Chapter Two, was a great influence on him. Ashin Ādiccavaṃsa had declared that he would be willing to relinquish Buddhism if he found a higher truth (Ādiccavaṃsa 1935: 26) and indeed he eventually disrobed, but Shin Ukkatṭha never did, remaining Buddhism's staunch defender and a Buddhist monk until the end of his life. It is true that Shin Ukkatṭha, in part under Ādiccavaṃsa's influence and encouragement, questioned the texts of the Pali Canon and selectively accepted only some of them as authoritative. This move, though, towards a relativist and revisionist form of Buddhism, was a sign of the times, part of a trend found not only in Buddhism as it transferred to the West, but among the

⁷ After 1988, Ne Win remained in power, but behind the scenes, as explained by Michael Charney (Charney 2009: 170ff).

highest echelons of his contemporary defenders of the faith in the countries that would become Sri Lanka and Thailand.⁸

If we look at the forms of Buddhism that emerged from the massive political upheavals that overtook the region during the 19th and 20th centuries, all the countries of the Theravada realm⁹ produced both reactionary and reformist responses in an attempt to protect the *sāsana*, the Buddhist religion, from the demise which the Buddha taught was ultimately inevitable, but postponable (Carbine 2011: 37). It was only in Burma that a thoroughly fundamentalist, literalist view came to dominate to the exclusion of other voices. Moreover, while most Theravada countries, including Burma itself, have witnessed the illegal and brutal defrocking, assault and even murder of monks, it is also only in modern Burma that the Sangha authorities themselves, using committees made up entirely of monks as judges, have continued to routinely pass sentences of compulsory defrocking upon monks (and a nun) who have not committed one of the four *pārājika* offenses that bar one from continued or resumed monkhood, labelling them as ‘fake monks.’ Monks, former monks and nuns have also been brought to the Sangha authorities for teaching ‘false *dhamma*’, not an issue in other countries, and failure to comply with whatever the Sangha authorities rules in an imprisonable offense. An irony in Shin Ukkatṭha’s story is that his final

⁸ By relativist, I mean those forms of Buddhist that hold that statements in the canonical corpus do not need to be regarded as absolute truth. Rather they can be seen as holding true for those Buddhists who compiled that section of the Sangha. This means that subsequent generations of Buddhists might not place the same weight on certain statements and might even see them as factually wrong, the product of their times. This attitude underlies the revisionist approach, namely that one should actively seek to revise the canon, or delimit one’s acceptance of it in the light of more modern knowledge, in order to improve one’s understanding of the Buddha’s teachings. Both approaches can be seen in Buddhism from the late 19th century, as we shall see when discussing the influence of theosophy. Anāgārikara Dharmapāla of Sri Lanka is probably the best known example of a nationalist Buddhist taking a revisionist approach. As we shall also see, the Burmese Sangha hierarchy’s response to such developments tended to be reactionary. This means that they were ultraconservative in relation to the Canon and commentaries, resisting any relativism and attempts at revision. This approach, aimed at keeping colonial secularism at bay and at preserving the *sāsana*, led to a fundamentalist response to the texts, i.e. taking the texts as literally true. They also imposed this fundamentalism on others, as we shall see in the *vinicchaya* cases discussed in Chapter Three.

⁹ The modern nation states that incorporate this region are Bangladesh (Chittagong and Chittagong Hill Tracts), Cambodia, Laos, Myanmar (Burma) Sri Lanka and Vietnam (Kampuchea Krom).

persecutor had initially been his liberator: having been convicted in 1959 under the caretaker government (albeit under a system set up by U Nu in the 1949 Sangha Act), in 1963 Shin Ukkatṭha was pardoned by Ne Win who had taken over the government in a military coup the preceding year (Chapter Three). While the Sangha took a formal action of the procedure of *pakāsaniya*, ‘exposure [for wrongdoing]’ (see below) against Ukkatṭha in that same year, without the support of the military government and state law enforcement under Ne Win, this *pakāsaniya* had little impact, as noted by Dhammasami (2012: 163; see Introduction). Nonetheless, it was under Ne Win, too, that, two decades later, he was convicted again, albeit posthumously. This final conviction had far more damaging consequences for his following and teachings.

To understand how Shin Ukkatṭha could be held accountable for his views at such a high level by both the Sangha hierarchy and the mechanisms of state law enforcement, with such serious consequences, and how he ultimately came to be prosecuted under a regime that had initially sought to keep religion separate from secular politics, we need to understand a number of things about the monastic, colonial, and political history of Theravada Buddhism, both historically and in modern Burma. What are the authorities under which monks were traditionally assessed and wayward monks held in check in Buddhist history? How did Burma come to develop such reactionary views in regard to the Pali textual authorities? How did it develop a tradition of expelling monks on grounds other than the offenses that, in the section of the Pali canon dedicated to ecclesiastical law, entail expulsion? How could it hold someone as equally accountable for their views – a misdemeanour widely reported in Western Buddhist studies to be insignificant in terms of the monastic code – as for serious disciplinary misconduct?

Some of the information pertaining to colonial and modern Burma will be explored in Chapters Two and Three. However, to pursue these matters we must also step further back into Buddhist history. In this chapter, I shall explore the history of *vinicchaya* from the evidence in Pali literature to its development in colonial-period Burma. This will give us some idea of the concerns with correct monastic conduct and why this also broadened out to an interest in correct interpretation of doctrine. To explain the process of textual and *vinicchaya* developments, I must explain the significance of the Pali Canon as an authority, the rules under which monks were historically held accountable and the mechanisms for doing so. The canon has been

turned to at times of crisis, a tendency that led to Burma's holding of the 'Fifth Council' and hosting of the 'Sixth Council'.

It is also important to understand how belief could be the subject of state-backed court cases in contrast to Western understandings of Buddhist jurisprudence. Some explanation is also needed for the resistance of monks including Shin Ukkatṭha to the decisions of a centralised Sangha hierarchy. Therefore I compare the evidence of how monks were regulated during the formation of the canon with the account of Emperor Asoka's purification of the Sangha. This, being part of Theravada's foundational myth, is the model that informs the development of Burma's interpretation of the importance of the temporal ruler in supporting and maintaining the purity of the Sangha.

Although I speak here of "the Sangha", as if the monks of Burma formed a single ecclesiastical body, this is far from the case. For most of its history the Sangha has been fragmented, and much of the trajectory which I shall present here was fuelled partially by rivalry between groups. In modern Burma nine divisions within the Sangha of Burma came to be formally recognised by the government, and a state body (the State Saṅghamahānāyaka Committee or SSC), which came to be recognised by most monks, was constituted. How this came about is a subject to which I shall return in Chapter Three. For now, I wish to provide the broader background to that development.

Another aspect of the background to Shin Ukkatṭha's views came from the presence, in Burma and elsewhere in Asia, of other, diverse voices, relating to religion, science, politics and argumentation. Those facets which are more directly related to Shin Ukkatṭha's own take on Buddhism I leave to Chapter Two, where I discuss his life story and revisionist view of Buddhism. I return to them in the Conclusion in order to assess his court case, presented in Chapter Three. Here I am concerned with outlining the shape of judgements in Sangha history, as background to the Sangha that would come to judge him and the textual authorities that would be used to do so. While I have organised this according to various themes, each of which internally broadly follows chronological order, I throughout relate these to Burma's monastic history and procedures.

The development of Theravada *Vinicchaya* procedures and practices

The developing meaning of the term *Vinicchaya*

The term *vinicchaya* (*wi-neik-sa-ya* in Burmese) is given to the modern Burmese Buddhist court cases in which monastic beliefs or practices are scrutinised for their validity and at which Shin Ukkatṭha's teachings were deemed 'false view.' It is a Pali term with a long history. Pali is the sacred language of Theravada Buddhism, used not only in its canonical texts, i.e. those attributed to the Buddha and occasionally his immediate followers (the Pali Canon or *Tipiṭaka* 'Three Baskets'), but also by the commentaries, which have built up over the centuries, to support the correct interpretation of those texts.¹⁰ When Burmese came to be used alongside Pali in the production of commentaries and handbooks, we find many Pali terms adopted into Burmese, sometimes with the same usage and sometimes with adapted usage (Houtman 1991: 10-11, U Hla Pe 1960). It is within this long commentarial tradition that the modern *Vinicchaya* courts could be said to practise. (Henceforth in this thesis, I shall use *Vinicchaya* to refer to the modern court cases but *vinicchaya* to refer to the term as used in Pali and Burmese textual traditions otherwise.) To understand the pre-modern meaning of the term *vinicchaya* that lies behind this modern usage, and to understand how the modern courts place themselves within that tradition, one should understand how *vinicchaya* is defined in earlier Theravada literature and how this developed.

The Pali word *vinicchaya* means investigation, in the sense of weighing things up in one's mind to assess them, in a fairly broad sense in the Pali Canon and – hence – also a "(firm) opinion" (PED s.v. 1.). It is also used in the Canon in a technical sense to be an investigation into something, so a trial and a judgement "(given by the king or his ministers) D II.58" (PED s.v. 2). In the *Jātakas*, it is also used to refer to the building in which such judgements take place, i.e. the court. (PED s.v. 3). In early Theravada commentarial literature the second of these meanings is applied to ecclesiastical law, i.e. the *vinaya* or monastic discipline. It is used with the specific sense of investigating whether a particular rule should or should not apply in a specific set of circumstances and hence it comes to mean both the 'investigation' and the subsequent 'decision' or 'judgement' on matters relating to the monastic regulations contained in the *Vinaya*

¹⁰ On the status and use of Pali, see Crosby 2014: 163-167; Collins 1992.

Piṭaka. It is this meaning that interests us here, for it would in turn lead to both canonical meanings, PED 2 and 3, trial and court, being applied in the sense of proceedings relating to the Sangha in modern Burma.

The *Vinaya Piṭaka* is one of the three collections, *piṭaka*, that make up the Pali Canon and contains the regulations, the discipline (*vinaya*), that govern the lives of monks and nuns, as well as the regulations governing their collective self-regulation. I say ‘self-regulation’ for during the period of the formation of the Canon, this is exactly how the Sangha was envisaged, as an autonomous self-regulating body (the Sangha) with its own system of governance (the *vinaya*) and legal procedures (*saṅghakamma*). It has been suggested that the Sangha’s organisation and self-governance were based on the model of guilds in existence during the period of early Buddhism in the so-called second urbanisation period of India. This system of self-governance, the *vinaya*, constitutes a form of ecclesiastical law still in use today. My understanding is that it therefore warrants the accolade of being the oldest functioning legal system in the world. Andrew Huxley writes of it,

Hammurabi’s legislation may be older, Justinian’s *Digest* more informative about its sources, but the *Vinaya*, unlike them, is still in force. It continues to govern the daily behaviour of thousands of people and continues to produce its own specialists and literature. (Huxley 1996: 141)

To maintain this applicability to a living tradition throughout Theravada history a number of commentarial texts concerning the *vinaya* focused specifically on how to decide the correct interpretation of the *vinaya*. Some such texts contain the term *vinicchaya* in their title. For example, the 3rd-6th century CE Pali text the *Vinayavinicchaya*, more fully known also as *Vinayavinicchaya-uttaravinicchaya*, is a text by Buddhaddatta summarizing the rules and regulations of *bhikkhus* (fully ordained monks) and *bhikkhunīs* (fully ordained nuns) in verse form (von Hinüber 1996: 154-157). It is one of the earliest commentarial works not included within the Canon itself, and comprises various judgements in relation to the *Vinaya Piṭaka*. I shall discuss the structure of the *Vinaya Piṭaka* and its classes of regulations more fully below. For now, all we need to know is that it is highly discursive: the exploration of the rules is embedded in narratives with rulings pertaining to single events scattered across the

Piṭaka. To form a judgement as whether a particular procedure within ecclesiastical law is or is not valid, Buddhadatta's *Vinayavinicchaya* is obliged to draw together information from across the *Vinaya Piṭaka*. From this perspective, Buddhadatta's text is a digest, bringing conveniently into a single place and in the convenient format of terse verse, related materials from disparate parts of the very extensive *Vinaya Piṭaka*—which covers five volumes in the Sixth Council edition – with all discursive material excluded.

To give an example of what is entailed in forming a judgement, let me say a little more on Buddhadatta's analysis of correct ordination procedure (*Vinayavinicchaya-uttaravinicchaya* 287-288), an analysis which pertains to this day. Whether an ordination procedure is valid or not depends on the 'perfection' (Pali *sampatti*) of five factors.¹¹ These are the perfections of:

- (1) the 'subject'¹² or candidate (Pali *vatthusampatti*, Burmese *yahan:laung: i pyizongyin:*)
- (2) the motion, i.e. the making known to the gathered Sangha that this procedure is taking place (Pali *ñattisampatti*, Burmese *nyat i pyizongyin:*)
- (3) the pronouncement (Pali *kammavācāsampatti* Burmese *kamma wāsā i pyizongyin:*), i.e. the correct pronouncement of the correct formula for the motion
- (4) the monastic boundary (Pali *sīmāsampatti*, Burmese *thein i pyizongyin:*), i.e. the sacred enclosure in which the ordination takes place
- (5) the witnessing members of Sangha (Pali *parisasampatti*, Burmese *yahan:payeik i pyizongyin:*), i.e. the monks or nuns performing the ceremony.

¹¹ See Bechert 1991: 520 for how these can be broken.

¹² *Vatthu* means 'object', or sphere/area, so in the context of *vinaya* can mean the subject to which the process refers. The term *vatthu* in a *vinaya* context is used for an object (whether animate or inanimate) to which the *vinayakamma* (disciplinary action) relates. Here in this context, *vatthu* refers to a candidate or a monk-to-be who would be ordained or who would undergo the procedure that the Sangha undertakes to make him a monk. Nagasena (2012: 45) also states that the objects (*vatthu*) here can mean both the type of monastic activity and the object of the activity, so in an ordination, the *vatthu* is the ordination itself and the person who is to be ordained, i.e. the ordinand (*nāga*).

To fulfil the first of these ‘perfections’ the candidate must fulfil a number of criteria such as being twenty years old (as calculated from the moment of conception), being free from certain illnesses and obligations, and having parental permission, etc. To fulfil the second and third perfections, the statement by the Sangha of the motion to ordain the candidate, and the pronouncement of the formal wording of the ordination ceremony, both must be clearly pronounced, using the correct wording and number of repetitions and in accordance with certain rules of phonetics. To fulfil the fourth perfection, the monastic boundary must have been successfully consecrated in accordance with the instructions in the *Vinaya Piṭaka*.¹³ To fulfil the fifth perfection the witnessing members of the Sangha must consist of at least five monks who have themselves not invalidated their ordination by, for example, committing any of the four *pārājikā* offenses mentioned above.¹⁴ If these five factors are fulfilled, the judgement should be that the ordination is valid. If any of the factors is unfulfilled, the judgement should be that the ordination is invalid.

The enduring significance of validity in such matters, based on these criteria, has endured, as can be seen from occasions when doubt has been subsequently raised. These five *sampatti* are mentioned by the 15th century Burmese King Dhammaceti in his inscription relating to purification of the Sangha, for example (see below). Michael Aung-Thwin points out that the *sīmā* aspect of these *sampatti* occupies over 27 lines of Dhammaceti’s inscription (Aung-Thwin 1979: To take another example, doubts in the 19th century about the validity of the monastic boundaries, the *sīmā*, in the Amarapura Nikāya *sīmā* in Sri Lanka, led to a debate lasting the best part of a century involving many of the leading figures of the Sri Lankan Sangha, and some of the leading figures of the Burmese Sangha. In consequence, some of the monks doubted the validity of their own ordination and travelled to Burma for reordination; this eventually led to the formation of Sri Lanka’s third ordination lineage, the Rāmañña Nikāya (Crosby 2013: 108-114, Malalgoda 1976: 168-169, Bechert 1991: 520-21)). A persistent concern in modern Burma over monastic purity, which, as noted, relies on the validity of

¹³ To see a detailed discussion of how the second to fourth perfections are assessed in relation to *sīmā* consecration see Nagasena 2012: 248-306. We shall return to the topic of *sīmā* below and in Chapter Three.

¹⁴ In the Buddha’s homeland in India, literally the ‘middle land’, there must be ten such monks but the regions of the Theravada world are counted as *paccantarāj*, peripheral regions, where only five monks are required for an ordination.

ordination and *sīmā* (perfection 4), has led to a process of ‘belt and braces’ safeguards. Nagasena Bhikkhu has shown current Burmese *sīmā* rituals use multiple recitations and multiple monks to ensure that – through such proliferation – the minimum requirements may be covered at least once (Nagasena 2012: 336-353). Since the validity of any new ordination is dependent on the validity of the ordination of the monks that performed it, when a verdict is given that an ordaining monk is not a true monk, having been found guilty of a *pārājikā*, any ordinations performed by him are put in question. The questioning of the status of a teacher who has acted as a preceptor or witness can thus create anxiety for the students in his lineage. Two *sīmā* disputes have been tried among the seventeen modern Vinicchaya cases in Burma (Chapter Three).

Many more judgements of this kind about ecclesiastical procedures (Pali *saṅghakamma*) are mentioned in Buddhadatta’s *Vinayavinicchaya-uttaravinicchaya*. It also contains judgements about those rules and corresponding offences particular to individual monks and nuns, i.e. the *pāṭimokkha* rules, which both affect the individual and in turn lead to the question of the validity of any procedures in which they participated, as we have seen. Buddhadatta simplifies the assessment of cases down to the constituent relevant factors, the fulfilment of each of which is necessary for an offence to have taken place. In doing this, Buddhadatta is extracting the principles of ecclesiastical jurisprudence from all the case law providing in the *Vinaya Piṭaka* itself. To see what this means, let us take an example of Buddhadatta’s judgements about a *pāṭimokkha* offence. Let us look at how he analyses the first *pārājika* (defeat) offence, the offence of engaging in sexual intercourse. He points out that two factors are required for the offence to have been committed. The first is the intention to have sex and the second is actually engaging in the act of sex. If one or the other factor is absent, there is no offence. This is important, since neither temptation, a matter internal to the practitioner’s mind and hard to judge, nor rape, a matter beyond the control of the practitioner, are included; neither constitute a *pārājika* in Buddhist ecclesiastical law. These two aspects illustrate the sophistication of the *vinaya* as a legal system: intention is a significant consideration, but intention without action is not. This means the impracticality of reading a person’s mind is addressed when nothing came of the intention, in spite of the doctrinal emphasis on intention and mind in the Buddhist understanding of the law of karmic repercussion. However, in

order to assess intention where an act was committed, other commentaries on this rule propose specific questions that break down the process of the act of sex and question the suspect in terms of pleasure and willingness. Now if both intention and act are present, the judgement is that a *pārājika* has been committed. Such an offence culminates in ‘defeat’, i.e. expulsion from the monkhood with no possibility of future reordination (Religious Affairs Press 1996: 2).¹⁵ This is an example of what is meant by a monastic ‘judgement’, *vinicchaya*, in this early commentarial Pali text. The *vinicchaya* comprises the examination of the factors relevant to the offense followed by the determination of the corresponding judgement regarding whether one would come to a conclusion that the factors are valid and the suspect guilty.

As Huxley has pointed out, “this sophisticated analysis of *mens rea* into motive and intention ... matches many contemporary codes in sophistication.” (*loc. cit.*) *Mens rea* is a principle of modern criminal law: “that a crime consists of both a mental and a physical element” (legal-dictionary.thefreedictionary.com accessed 25 October 2015). The factors are examined by a representative body of the Sangha.¹⁶ However, these *vinicchaya*, unlike modern Burmese Vinicchaya courts, are setting down principles, as the basis of the practice of monastic jurisprudence. They are not about specific cases. By providing the principles for application with relaying actual or model cases, such digests ensure that their size is kept to manageable proportions. By contrast, the *Vinaya Piṭaka*, from which these principles are drawn, is mainly in the form of case histories: each case is presented as if it happened and was referred to the Buddha for judgement during his lifetime. It is these presentations of the case histories that contributes to the great length of the *Vinaya Piṭaka*. While I shall not go into it here, the formulation of digests out of the iterative presentation of the canon is an important development in Buddhist literature, one seen also in the transformation of *Abhidhamma* literature.

Although the *vinicchaya* are setting down the principles or criteria for a judgement, they themselves have probably been used for actual cases from the time of

¹⁵ Except as a novice.

¹⁶ In *vinayakamma* (disciplinary action), the necessary number of monks to perform the action in question are identified as either Sangha, *gaṇa* or *puggala*. Sangha means a group of minimum of four monks, *gaṇa* two or three or four monks, and *puggala* just one monk. The *vinicchaya* can be made by the Sangha, *gaṇa* or *puggala*, depending on the accuser and the accused (*Cūlavagga*, 220-225).

their composition until the present day. It is therefore possible that the term *vinicchaya* has been used both for the text behind making judgements and for the practice of coming to judgements in specific cases. The term *vinicchaya* and the principles found in the *Vinicchayavinicchaya* continued to be used thus in the Burmese Sangha right through the British period, as is seen in the *pārājika* case brought against Shin Ukkatṭha in 1931. Let us take his case as an example.

According to Mya Din (198?: 131-146), Ukkatṭha was accused of the first of the *pārājika* offences, that of sexual intercourse, in 1931 when he was 34 years old. His accuser was a woman called Ma Than Kyi, who was pregnant. At this time, Ukkatṭha resided in the Thayettaw monastery in Myothit where he had opened his progressive school for poor children a year earlier (Chapter Two). In order to investigate Ma Than Kyi's claim, a *Vinicchaya* 'investigation', or here we might say 'court', was organised within the town, Myothit. Both Ukkatṭha, as defendant, and Ma Than Kyi as plaintiff, were summoned and interrogated by senior monks before an audience consisting of members of the Sangha. While the fact that all the judges were members of the Sangha might seem unfair on Ma Than Kyi, it should be born in mind that this hearing was solely concerned with whether or not Ukkatṭha had had sex, and had therefore rendered himself no longer a monk.

Ma Than Kyi's account was that Ukkatṭha frequented her house and that they were having a relationship. On finding that she was pregnant, she said, Ukkatṭha gave her a bottle of abortion pills, and she showed the bottle to the gathered members of the Sangha. While it was undeniable that Ma Than Kyi was pregnant, Ukkatṭha claimed that he never been to her house. To cast doubt on the veracity of her claim, he asked Ma Than Kyi to specify when it was that he was supposed to have visited her, was it morning, afternoon or evening? If he came there frequently, he pointed out, some neighbour might have witnessed him coming or going – but who could bear witness to it? On the other hand, Ukkatṭha asked her, had she ever been to his temple? Ma Than Kyi was not able to provide answers to these questions and failed to convince the jury either that the intention was present or that the act had been committed. In conclusion, and in accordance with the criteria laid down in early *vinaya* jurisprudence as attested in the *Vinayavinicchaya*, the Sangha decided that Ukkatṭha was 'pure' i.e. innocent (Pali *suddha*, or *thuddha* in Burmese pronunciation).

In addition to demonstrating the *vinicchaya* process, this event allows us to see how dangerous even a false accusation could prove – Shin Ukkatṭha’s entire career was at stake, but it was fortunately saved by a scrupulous procedure. The case also reveals rivalry brewing within the Sangha: there were some monks who disliked Ukkatṭha and were dissatisfied with the decision. This in turn necessitated a higher authority, one accepted by all parties. This was a system already in existence, a precursor to the later development of a centralised Sangha authority under Ne Win. In response to Ukkatṭha’s enemies’ persistence in repeatedly declaring Ukkatṭha impure, the abbot of Thayettaw monastery in Myothit, where Ukkatṭha was resident, sent the document trail to the Sangha authorities in Mandalay.¹⁷ While Yangon (Rangoon) had become the capital of colonial Burma, Mandalay, the last royal capital, was still the most important city in Upper Burma and remained the seat of Buddhist learning and administration. The Sangha there undertook a further detailed

¹⁷ According to Mya Din (198?: 134), the Sangha, comprising at least 50 monks from around the town, attended the *Vinicchaya* in the Thayettaw monastery. The Sangha assembling there questioned Ma Than Kyi, who was accompanied by her mother, and let Shin Ukkatṭha question her too. After this full interrogation, Shin Ukkatṭha and his teacher, the abbot of the temple, promptly left the Sangha assembly and stayed quite far away from it lest their presence cause the Sangha to hesitate to make a decision. In their absence, the Sangha unanimously agreed Shin Ukkatṭha was innocent. Ma Than Kyi did not make any further accusation. After that, the Sangha, including Shin Ukkatṭha, understood the matter to be over and all went back to their particular monasteries. However, two weeks later, there was a Sangha assembly in a different monastery, Sinbyu Khyan Taung Kyaung, in Myothit, in order to finalise the case. There a disagreement took place between three *vinayadhara* monks (experts in the *vinaya*): one against two. One, desiring to prove Shin Ukkatṭha guilty, wanted to carry on the investigation. But the other two, wanting to uphold his innocence, argued that the decision had been made two weeks ago at the Thayettaw monastery, and that there was no need to carry on considering the case. Rather, they argued, they just needed to finalise it there and then. At this, the Sangha seemed split into two: one side accepting Shin Ukkatṭha, the other rejecting him. For this reason the case was passed on to the Mandalay Sangha to ensure a fair decision. According to Mya Din (198?: 142-145), the abbot of Tayettaw monastery went to Mandalay and handed the document trail over to the *thāthanābaing sayadaw* who invited suitable monks, led by Bhaddanta Paññājota of Salin monastery, Western Mandalay, to reinvestigate the case. The Mandalay Sangha passed the final judgement that Shin Ukkatṭha was innocent. That decision was sent by the *thāthanābaing*, the head of the Sangha, to the Thudhammā Sayadaws recognised as the leading monks of the Sangha. They each authorised it by stamping their seal on the letter.

investigation that same year, and they too unanimously found Ukkatṭha ‘*thuddha*’, innocent.

This thorough investigation of the a *pārājika* accusation against an individual by a monastic committee is rather different from some of the defrocking processes of modern Burma in the context of which Shin Ukkatṭha’s final trial took place. Guillaume Rozenberg reports the following contrasting situation, referring to events which took place shortly after Ukkatṭha’s death, around the time of the Vinicchaya case against him that we shall discuss in detail in Chapter Three. These events reflect the culture of Sangha governance that had emerged by that time:

In 1980 and 1981, with the help of the police, the government officials of the Department of Religious Affairs conducted an extensive investigation that led to the exclusion of more than three hundred monks judged guilty of grave disciplinary violations, generally for having engaged in sexual relations. The entire procedure was led by government representatives, and a simple approval of the concerned township monastic committee was required for the execution of the decision. Monks of national renown were unfrocked. Like the famous monk of Popa, U Parama, an eminent representative of the *weikza* path, certain monks left the monastery of their own volition to avoid official sanctions.” (Rozenberg 2010: 128)¹⁸

Here we can see that a far less rigorous process of investigation was involved, one which Rozenberg clearly sees as falling short of the standards established by the *vinaya* and its tradition of practice. I shall later return to the implementation of ecclesiastical law in Burmese Buddhism and the Sangha’s relations with state authority. Here I have demonstrated the application of the use of the term *vinicchaya* within *vinaya* in the early commentarial tradition. I have shown how the context in which it occurred there and the principles applied continued to apply into the

¹⁸ A *vinaya* reason for leaving ahead of sanctions – aside of avoiding the humiliation and other problems of such an interaction with the authorities – is that a monk found guilty of a *pārājika* offence may never reordain as a monk. One who has not been found guilty may, according to the *vinaya* commentarial tradition, disrobe and reordain as many times as one wishes (Crosby 2005).

modern period. I shall now continue tracing the use of the term *vinicchaya* in Theravada commentarial literature.

Also containing the term *vinicchaya* within its title is the 12th-century Pali text, the *Pāḷimuttakavinayavinicchayasāṅgaha* by Sāriputta. It was composed in the next major period of commentarial writing, which followed the unification, under the auspices of King Parākramabāhu I, of the ordination lineages of central Sri Lanka under the Mahāvihāra lineage. This connection between Sangha purity and kingly authority adds another facet to the development of the notion of *vinicchaya*, one to which I shall return below. While the justification for the 12th-century unification was the ‘corrupt’ practices of rival monastic lineages, lineages which were ended during this period, the unification also fitted into a pattern of new kings forming allegiances with specific monastic lineages. It can therefore be seen as part of Parākramabāhu’s process of consolidating his position and ensuring the support of the existing Sangha, using the Sangha as one means for bringing about a form of political centralisation (Smith 1978: 137). Be that as it may, the period saw a genuine concern with correct monastic practice and around this time the Mahāvihāra lineage put a great deal of effort into establishing the purity of its *vinaya* practices (Crosby 2006: 49). This resulted in the production of new texts not only on *vinaya*, but also on such subjects as grammar (Gornall 2013: 10), which, as we have noted when examining the five perfections that constitute a valid ordination procedure, is necessary to ensure correct *saṅghakamma*. As a result of its emphasis on texts, *vinaya* practice and grammar, the Mahāvihāra lineage of Sri Lanka became the dominant source for monks of mainland Southeast Asia seeking guaranteed valid lineages, texts and practices in the following centuries (Crosby 2003).

As an aside, but an aside that is of relevance for our later discussion of textual authority, the pivotal role of Sri Lanka in the transmission of the Pali canon and commentaries to the broader Theravada world allows for a certain disputation of sources. It may have been this 12th-century development that allowed Shin Ukkatṭha to ascribe those passages in the Pali Canon that he regarded as false to the invention of the Sinhalese (see Introduction). However, it seems more likely that he was referring to a much earlier event in Sri Lanka, the first writing down of the Canon, which took place in the 1st century BCE, a period of warfare and famine, at Aluvihare rock temple in Matale in Sri Lanka, in response to the risk of its loss. While Shin

Ukkaṭṭha's disputation of the canonical texts was quite radical, the possibility of disputing Sri Lanka Buddhist textual authority has precedence in a very significant event, possibly the most famous monastic dispute in Burmese history, the *atin* dispute of 1784. King Bodawhpaya sought to discredit the chief monk of his father, Shin Atula, putting him on trial for heterodoxy over a disagreement concerning whether monks should or should not be allowed to venture forth from their monastery with one shoulder uncovered.¹⁹ This was a dispute that has plagued the Sangha for most of the century. To facilitate the guilty verdict, the commentarial source that Atula used as his authority, the 13th-century *Cūlaganthipada* composed in Sri Lanka, was rejected as invalid by the monastic judges. As Huxley explains, "To condemn Atula, his judges had to construct a closed list of authoritative vinaya subcommentaries written between the seventh and the thirteenth centuries. They canonized three other books written in South India and Lanka." (Huxley 2001: 118). Therefore, in discrediting the Sixth Council canon with reference to Sri Lankan monks, Ukkaṭṭha was implicitly also referencing a famous event in Burmese ecclesiastical history in which a Sri Lankan text was discredited with disastrous consequences for its advocate and his followers (see below).

The Atula case is also useful here for our purposes of examining *vinicchaya* since it reflects a dispute that occurred on the basis of developed practice within a context not envisaged during the formation of the canon. It therefore necessitated referring to commentarial texts and reassessing which of those best interpreted the canonical texts. In the case of our next *vinicchaya* text, the desire to refer back to an undisputed and more universally accepted commentary is seen in the use made of the 5th-century commentary on the *Vinaya Piṭaka*, the *Samantapāsādikā*, attributed to Buddhaghosa, the great commentator of the *Mahāvihāra* tradition in Sri Lanka. This text dominates further *vinaya* commentarial developments in the Theravada world.

This next *vinicchaya* text is the *Pālimuttakavinayavinicchayaśaṅgaha*. It was one of the new *vinaya* texts produced in 12th-century Sri Lanka. It was compiled by Sāriputta, at the monastery in the capital provided for him by King Parākramabāhu (Crosby 2006: 55-56). Although Sāriputta was the leading monastic scholar of his day, his *Pālimuttakavinayavinicchayaśaṅgaha*, contains barely a word of his own. A feat of organisational genius, the text consists of a collection of excerpts from Buddhaghosa's

¹⁹ On the Sangha politics behind this, see Charney 2006.

Samantapāsādikā. The task of compilation must have been a difficult one requiring a great deal of expertise and skill. Possibly Sāriputta composed it after he had already gone through the entire *Samantapāsādikā* in close detail in order to produce his actual commentary on it, the *Līnasāratthadīpanī*. While the *Samantapāsādikā* is diverse, nearly as extensive than the *Vinaya Piṭaka* itself²⁰, providing grammatical analysis, background stories and other matters in addition to clarification of the regulations themselves, the *Pāḷimuttakavinayavinicchayaśaṅgaha* deals only with judgements, i.e. *vinicchaya*, concerning the correct interpretation of *vinaya* regulations (Crosby 2006: 50). It is similar to the earlier *Vinaya Vinicchaya* in giving guidance for determining whether or not a rule has in fact been broken. However, it is more complex in that it draws on a wider range of occurrences of the rule in question, from across the *Samantapāsādikā*. Like the *Vinayavinicchaya*, it includes procedural and individual rules. It also includes individual minor rules that essentially govern decorum and appropriate ways to proceed in relation to lay people, which are not included in or as serious as the *pātimokkha* rules. In the sub-commentary that Sāriputta had written prior to making his compilation, he had commented on all aspects of the *Samantapāsādikā* and from that subcommentary he also extracted the *vinaya-vinicchaya* related material to produce a commentary for the *Pāḷimuttakavinayavinicchayaśaṅgaha* only. The ongoing importance of the *Pāḷimuttakavinayavinayasaṅgaha* (usually known just by the title *Vinayasaṅgaha* in Burma) is shown by the production of a new sub-commentary on it in the seventeenth century by a Burmese monk known as Taunbila Sayadaw, also known as Tipiṭakālaṅkāra. This sub-commentary is called the *Vinayālaṅkāra* ('Ornament of the *Vinaya*') (Nagasena 2012: 49). Sāriputta's three works thus include two handbooks or digests directly related to accurately ascertaining correct and incorrect *vinaya* during the period of reform and unification, when *vinaya* and Sangha unity were of particular concern, and these continued to be important in Burma, the commentary being replaced by a Burmese commentary in the 17th century.

One of the tasks of the *vinicchaya* digests is to bring related material together to provide principles for easier application. Another task is to address issues that were not foreseen or that reflect developments that had not occurred during the Buddha's

²⁰ There are five volumes in the Sixth Council edition of the *Vinaya* canonical texts and four volumes of the *Samantapāsādikā* commentary.

lifetime or the time of the compilation of the *Vinaya Piṭaka*. This process of adaptation can be seen during the compilation period itself. Thus Man Shik Kong's study of food rules in the six different canonical *vinaya* texts, focusing on the Pali *Vinaya Piṭaka*, shows how different food rules were a response to changing expectations of renouncer on the part of lay supporters, in part based on differing notions of purity (Kong 2015: Chapters Three to Five). For while the early Buddhist emphasis interpreted purity primarily in terms of ethical conduct and intention, other conceptualisations of purity based on restraint and physical purity/freedom from contamination with polluting substances had an increasing influence on food rule formulation, particularly in the later canonical period. In the case of Sāriputta's work based on Buddhaghosa, it reflects a situation in which, for example, international travel meant that parental permission was hard to gain prior to ordination and in which the Sangha's long establishment and status meant that people gave children to the Sangha prior to an age at which they could ordain or personally choose to be ordained (Crosby 2005).

In the early modern to modern periods we see even more radical changes to society, with rival and non-royal state authorities, different conceptualisations of such basic referents as 'village', and even such things as the introduction of electricity. The next spate of *vinicchaya* that I draw our attention to were compiled in Burma under such changing conditions. Some of the changes that they were responding to are complex, but in his study of such modern material Nagasena Bhikkhu gives us a clear example.²¹ He examines the reinterpretation of the rule that a *sīmā* (sacred monastic enclosure) is not pure, i.e. valid, if overhung by branches from another such enclosure. The introduction of electricity confounded *vinaya* experts of the modern period since it was argued that electricity wires coming into the enclosure could contaminate the enclosure. The resolution was to allow for underground or buried wires, since these were seen as being closer in nature to the roots of a tree, which were not – presumably for practical reasons – seen as invalidating in the enclosure (Nagasena 2012: 322-330).

During the beginning of the modern period, in the 18th and 19th centuries, Pali texts resolving *vinaya* issues, including a number which included *Vinicchaya* in their titles, proliferated in Southeast Asia. This was a period of great productivity in the

²¹ For an indepth study of canonical and earlier commentarial material on *sīmā* see Kieffer-Pülz 1992.

area of *vinaya* as Buddhist monks throughout the Theravada world sought to shore up the Buddhist tradition. This was partially in response to changes in technology and administration and the need to redefine *vinaya* concepts in the light of such developments. It was also in response to the crises as well as changes in governmental structure created by the colonial period.²² Unlike the broad *vinaya* overviews by Buddhadatta and Sāriputta of earlier centuries, the *vinicchaya* in early modern Burma focused on much more on specific issues. They were composed using both Pali and the local language, so we find Burmese *vinicchaya* texts being produced in this period.

One area of *vinaya* literature that was productive of *vinicchaya* texts in this period was *sīmā*. The *sīmā*, the significance of which has already been mentioned above, is the sacred monastic enclosure for Sangha acts or legal procedures (*saṅghakamma*) including higher ordination. As noted above, it is one of the items in the list of ‘perfections’ that must be fulfilled for the ordination of a fully ordained monk, a *bhikkhu*, to be valid. Therefore, all monks have a concern to know that their *sīmā* is valid.

The proliferation of *sīmā* literature at this time was a direct reflection of the instability thrown up by European colonial encroachments in the region. Nagasena Bhikkhu reports on how such works as the *Visuṃgāma Sīmāvinicchaya*, *Tepeṭakavinicchaya Kyan* and the *Parivāsamānattādi Vinicchaya Kyan* were composed by Burmese monks to record their judgements about the validity or otherwise of recently established *sīmā*, which had been the subject of debate. At this time one impact of European colonialism was that patterns of patronage changed, with a shift from the king or the king’s approved head of the Sangha as the final arbiter over a given region, to the possibility of calling on the colonial government, or a rival monastic/royal authority or on independent decisions in a vacuum of central authority. We thus see Sri Lankan monks turn alternatively to the head of the Burmese Sangha, and to Mongkut, the monk and king-to-be in Thailand, as a way of circumventing unwelcome strictures placed on ordination by the Sangha hierarchy in Kandy. Similarly, we see rival Sangha lineages emerge between those monks in British territory and those still under Konbaung rule, and therefore still subject to the Thudhammā Council. The Thudhammā Council was the successor, under King

²² On the sense of crisis during this period, to which we shall return in greater detail below, see Charney 2006: 206-259, Charney 2009: 18-45, Crosby 2013: 270-272, Turner 2014: 23-44.

Mindon, to the hierarchical body that had been set up by King Bodawhpaya to govern a unified Sangha after the Atula debate discussed above. Those unwilling to accept the decision of to the Thudhammā Council could move to the British territory of Lower Burma (Mendelson 1975: 87, 94, 102ff.). This disrupted the unified Sangha that had existed since King Bodawhpaya's time (with the exception of the separate Shwegyin *gaing/nikāya*, sect or branch, see Chapter Three).

This situation led to the proliferation of new *gaing* or branches. As new branches of the Sangha sought to have their own independent yet valid ordination enclosures, and sought to defend them against criticism, *sīmā* became an important topic (Nagasena 2012: 135-146, Crosby 2014: 110-113). This situation pertained in Burma but also elsewhere in the region. Thus it was within this context that the century-long Sri Lankan debate within the Amarapura Nikāya noted above took place.

A further reason for the proliferation of *sīmā* literature that needs to be noted here is that, while the *sīmā* is crucial for the validity of ordination, it was envisaged in the canonical period as an almost *ad hoc* arrangement. All one needed was to create a space. Mathematically, a space simply needs three points (rather than two, which creates only a line). Therefore, the canon only gives examples of how to create and mark such a space. It is in the commentarial period that more complex rules for *sīmā* are drawn out from relatively sparse canonical guidance. We can see in the commentarial developments the much more established nature of the Sangha and its need to take into account 'land law', if we may call it that, namely the concepts of space and ownership within society more broadly.

Another post-canonical aspect of land law was fundamental in Burmese ecclesiastical history: the issue of monastic ownership of donated lands being disputed by royalty. This repeatedly inspired investigations into monastic conduct such that the royal court could reclaim lands that had insufficient evidence of ownership or where the qualifications of the monks to be monks could be challenged. This issue also motivated the court to find fault with monks, so that the lands of temples of monks deemed to be behaving inappropriately could be regained by the court. We see this in the case of King Thalun's inquest into monastic practice in 1638 and Bodawhpaya's even more extensive investigations 1784 (Mendelson 1975: 72-3). Thus the forcible defrocking of numerous monks following a 'purification' could allow the court to reclaim the monastic land they inhabited or had rights to. This escalated

the engagement of both court and monks in detailed engagement in ecclesiastical law, contributing to Burma's sophisticated commentarial usage, legal culture and related textual corpus. In the absence of a single ecclesiastical or royal authority, monks turned to both the writing of defences of their position and to courts in disputing such matters. It was this area, ownership of territory, that would also draw the British courts reluctantly into the subject of *vinaya* during the colonial period. Disputes during this period, that led to splits within the previously unified Sangha²³, were not confined to matters of *vinaya* and we can see how the presence of the British in Lower Burma supported the continuation of such divides. Thus, when Mindon impaled one of his doctors for his anticlerical form of Buddhism, the followers of the latter were able to flee to British Lower Burma (Mendelson 1975: 87), where the temporal authorities had no interest in the preservation of the *sāsana* or the maintenance of the unity of the Sangha. Okhpo Sayadaw, head of the Dwara Gaing, whom we shall come across later when looking at influence on Shin Ukkatṭha, also found refuge in Lower Burma (Mendelson 1975: 94).

It is important for us to note here a corresponding transition in the nature of *vinicchaya* literature. So far, it had all related to matters of monastic discipline, *vinaya*. A development that emerges from the early modern period to the post-independence period was that *vinicchaya* were also composed on matters of *dhamma*. To identify the turning point after which *vinicchaya* could refer in Burma to *dhamma*, we must examine more closely sense of crisis during the early modern period that I mentioned above and the productivity it inspired. The warfare and regional rivalry of the 18th century and the devastation of the three Anglo-Burmese wars of the 19th century, led to great anxiety about the *sāsana*'s survival. This contributed to rivalry between different monastic lineages claiming to represent the best interests of the *sāsana*. We shall return to these concerns and the specific Burmese response to them below. For now, let us note that the concerns about the maintenance of the *sāsana* led to great debates on matters of both *vinaya* and *dhamma*. These in turn led to *vinicchaya* works being written not just on *vinaya* topics, or on mixed subjects, as in the case of the *Nyaungyan Vinicchaya paungchoke*, but dedicated to topics of *dhamma*, as I shall now show. One of the disputes that contributed to the formation of Okhpo Sayadaw's

²³ The notion of the Sangha as unified is disputable, but we can at least say there was a single centralised authority from Bodawhpaya onwards.

separate *Dvāra Gaing* came down to the detail of a litany in terms of whether one spoke of the action of body speech or mind, or in terms of through the medium/access point (*dvāra*) of body, speech and mind. This is in fact a subtle point of doctrine of the kind discussed in *Abhidhamma*, the complex analysis of metaphysics and causality that forms the third *Piṭaka* of the Pali Canon.

The texts concerning *dhamma vinicchaya* of the 18th-20th centuries also specifically focus on topics that are addressed in *Abhidhamma*, several of them addressing the nature of mind and matter and the nature of *kamma*. The first Sinde Sayadaw Ashin Ṇāṇasaddhamma (CE 1744-1816: BE 1106-1178) compiled at least two *Vinicchaya* on *Abhidhamma* topics during the late Konbaung dynasty, during the reign of King Bodawhpaya (r.1782-1819) and King Mindon (r.1853-1878). His compositions include the *Paramattha Vinicchaya nissaya*, a Burmese-style commentary discussing ultimate truth from an *Abhidhamma* perspective, and *Nāmarūpa Vinicchaya nissaya* discussing the discernment of mind and matter from an *Abhidhamma* perspective (Kelāsa 1980: 218-252).²⁴ A later Sinde Sayadaw, Ashin Sāgara (b.1812 CE: b.1172 BE) wrote the *Akusalamanokamma Vinicchaya* about meritorious actions, de-meritorious actions, the three refuges and the five precepts of lay Buddhists at the request of Sithu Shwe Taung, who held the position the minister of the cavalry (*Myin"-daik-wan*) under the reign of King Bagyidaw (r.1819-1837). This Sinde Sayadaw also wrote the *Kammabheda Vinicchaya* about different types of action, the *Abhidhammatthasāra Vinicchaya* about coming into existence and disappearance of the earth and contemplation on cessation of suffering, and the *Abhidhammasamūha Vinicchaya* about classification of *Abhidhamma*. Sinde Teikauk Sayadaw Ashin Uttama CE 1889-1965: BE 1251-1327) composed the *Pañcasīla Vinicchaya* in relation to different aspects of the five precepts. A *Nissayaṅga Vinicchaya* about taking instruction from teachers was attributed to the first Shwegyin Sayadaw (CE 1822-1893: BE 1184-1255), the *nissaya* (Burmese commentary/translation) of which was written by Maungdaung Sayadaw Ashin Vimala, the pupil of the first Shwegyin Sayadaw (Mānita 1994: 114-115).

²⁴ The first Sinde Sayadaw was also interested in matters of vinaya. He also wrote *Vajīrabuddhīṭikā-nissaya*, the Burmese translation of the Pali *Vajīrabuddhīṭikā* (around 6th century), and an exposition of *Samantapāsādikā*, the 5th-century commentary by Buddhaghosa on the *Vibhaṅga* (the rules for *bhikkhu* and *bhikkhunī*) section of the *Vinaya Piṭaka* mentioned above (*Piṭakabyūhā Aphwe*, 1972).

Whereas the earlier *vinicchaya* concerned the validity of ordination lineages, sacred space and correct monastic practice, towards the end of the 18th century – and under the challenges set by such kings as Bodawhpaya, who sought to challenge the Sangha in relation to correct doctrine – *dhamma* also became a subject of heated debate and scrutiny (Pranke 2008: 3-4, Charney 2006: 99-105), a situation that increased with the freedom offered to dissenting monks by the lack of a functioning Buddhist hierarchy under the British. We can thus see a broadening out of *vinicchaya* towards the dawn of the modern period.

As has been shown by Pyi Kyaw (2014), the increased focus on Abhidhamma was caused by the anxiety about the decline of the *sāsana* in the colonial period, since it is taught that as the *sāsana* begins to disappear, Abhidhamma will be the first part of the Pali Canon to be lost. Maintenance of Abhidhamma and the closely related practice of insight meditation therefore became the responsibility of all Burmese Buddhists to maintain. With the colonial period penchant for the setting up of organisations (Turner 2014), organisations also developed for the maintenance and the examination of expertise in Abhidhamma (Kyaw 2014), and the sponsorship and composition of books on the subject. The introduction of the printing press in the middle of the 19th century not only brought books to a wider audience, but encouraged a broader range of authors, and so also contributed to the increased textual productivity of this time (Charney 2006: 182). Thus a combination of factors encouraged heightened productivity of texts expounding correct interpretation of both *vinaya* and *dhamma*.

This gives some taste of the way in which, by the 19th century *vinicchaya* based on argued reasoning through engagement with pre-existing canonical and commentarial texts had expanded in the Burmese Theravada context to cover doctrinal as well as regulatory judgements. This set the context in which the meaning of ‘judgement’ became extended in Burmese to refer to those relating to the suspected misinterpretation of doctrine, as well as to incorrect *vinaya* practice. This paved the way for special *vinicchaya* courts which would assess these matters relating to rules and regulations or to doctrine as found in the canonical texts and their commentaries.

The extent to which this transition remained influential at the top echelons of the Sangha hierarchy can be demonstrated by examining one particular Burmese *vinicchaya* text compiled from the last decades of the British period into independence, the *Nyaungyan Vinicchaya Paungchoke*. This text marks the culmination

of the extension of the notion of *vinicchaya*, from *vinaya* to matters of *dhamma*. This is especially significant for two reasons. Firstly, it was written in Shin Ukkatṭha's lifetime. Secondly, the author was none other than the Nyaungyan Sayadaw, Ashin Revata (CE 1873-1954).²⁵ Nyaungyan Sayadaw was the president of the Sixth Council held in Rangoon/Yangon²⁶ between 1954 and 1956 and thus arguably the greatest monastic authority of his day. His explicit intention in forming *vinicchaya* 'judgements' was to solve a variety of monastic problems faced in his era (Nagasena 2012: 144). The text is thus retrospective. Since he was well known as a learned monk, he had received scores of questions relating to *vinicchaya* issues, i.e. to issues requiring a determination of the correct assessment of a *vinaya* problem. His answers to them were later published in a single volume at the request of his pupils, for the sake of *vinaya* researchers and *vinicchaya* courts (Nyaungyan Sayadaw 1982: hsa-za). In it, the Nyaungyan Sayadaw arranges the *vinicchaya* two parts, *Vinaya Vinicchaya* and *Pakiṇṇaka Vinicchaya*, literally 'vinaya cases/judgements' and 'mixed cases/judgements'. Here *Pakiṇṇaka Vinicchaya* is a judgement on both *Vinaya Vinicchaya* and *Dhamma Vinicchaya*. This text indicates that by the time of the Sixth Council in which Shin Ukkatṭha was involved, the term *vinicchaya*, which for up to 1500 years had only referred to judgements relating to *vinaya*, now took into consideration *dhamma*, teaching or doctrine, as well. This change influenced the remit of the Vinicchaya courts set up under U Nu, under which Shin Ukkatṭha was tried during the period of the caretaker government, and that of the later Vinicchaya court set up under Ne Win, under which Shin Ukkatṭha was posthumously tried.

²⁵ The word "Sayadaw" is commonly used for an abbot of each Vihara (temple) in Burmese Buddhist tradition. It can be translated as "venerable teacher". The word "Sayadaw" usually comes after the name of temple or village or city. For example, the abbot of London Vihara is commonly called "London Vihara Sayadaw". The word "Sayadaw" is not the name of a monk, but it is an honourable title for one. For instance, my name is Ashin Janaka who lives in Santisukha Vihara; in this case, the word would be combined as "Santisukha Vihara Sayadaw Ashin Janaka".

²⁶ The official spelling of Rangoon was changed to Yangon in 1989 during the government of State Law and Order Registration Council. But, regardless of the changing of the English term, from Rangoon to Yangon, Burmese people had always pronounced it as Yangon, ever since the 18th century when King Alaungpaya conquered the city of Dagon and renamed it Yangon. Yan means danger or enemy and Gon (kon in the way of Burmese writing) means getting rid of. It could be translated as, "The City where the King conquered the enemy."

Textual Authority and Power

We shall examine the Vinicchaya courts constituted by the State Sanghamahanayaka Committee (SCC) set up under Ne Win in Chapter Three. Here, however, I wish to examine the textual authorities which they would use as their evidence for judging right and wrong practice and doctrine. Like other Burmese Sangha authorities and the *vinicchaya* literature before them, the SSC courts take as their almost exclusive criteria the canonical and commentarial texts of the Theravada tradition. While this has probably often been true at times of crisis, as can be seen from the periodic great events or councils to rehearse these texts (see below), Charney has shown that the ability to demonstrate one's mastery of these sources was particularly important in the establishment and success of the Thudhammā Council in the 18th century, which resolved the factionalism best represented by the one-shoulder, two-shoulder debate (above). The Thudhammā Council ceased to exist after the complete British annexation of Burma, and the British set up their own head of the Sangha, *thāthanābaing*. However, the ineffectiveness of the latter led monks to seek the authority of the monastic elite of the pre-independence era and their disciplines. This contributed to the continued emphasis on indepth scriptural learning as a signifier of status and in the arbitration of differences of opinion and practice.

The continued emphasis on canonical texts is always likely to create problems as well as solve them. It can solve problems by going back to a universally agreed authority, and testing developments against that to ensure that we have not deviated too far from what they contain. This takes the recommendation in the *Mahāpadāna Sutta* regarding the acceptance or rejection of newly-discovered or newly-reported texts – that they conform with existing canonical texts – and applies it to practices and teachings. It is useful when there is uncertainty or disagreement between different commentarial transmissions. It ensures that the *sāsana* authorised by the current Sangha hierarchy in a period so far removed from the Buddha in time and so far into the lifespan of the *sāsana* is as close to the original teaching of the Buddha as is possible. In consideration of the urgency of maintaining the *sāsana* in the face of its inevitable decline, the importance of this priority is unarguable. However, texts are open to interpretation. Moreover, this process of fundamentalist revision also makes it possible that viable solutions already developed to post-canonical situations, i.e. solutions to situations not covered by the canon, are discarded. The process also relies

on the assumption that the canonical texts are monolithic, despite close textual studies usually revealing diversity. Even systematising works of high repute and generalised authority, such as Buddhaghosa's *Visuddhimagga*, composed in the 5th century CE, may be challenged on the basis of scriptural authority. This happened in the modern era, for example, in the debates over Burmese meditation practices introduced into Sri Lanka (Bond 1988: 162-171). Taking the canonical texts as the only true authority thus leaves open the possibility of destabilising and even disestablishing anything based on commentarial or modern responses that cannot find unambiguous precedents in the Pali Canon. This in turn means that the assessing authority in question, the panel of judges (for Shin Ukkatṭha, those presiding in courts representing the SSC) have it within their power to disestablish transmissions and traditions other than those that happen to fall within the approved sphere.

As already noted, the application of the Pali Canon is limited in that Buddhism and society have both continued to develop since its closure, and so it is inevitable that commentarial texts must be drawn on for some topics. As a result, some commentaries are accepted as authorities within the *vinicchaya* literature described above, as well as in modern Vinicchaya cases including Shin Ukkatṭha's, as we shall see in Chapter Three. In the 12th century, it was Buddhaghosa's work that became the chief post-canonical authority, as noted above in our discussion of the *Pāḷimuttakavinayavinicchaya*. This was true even though at the same time an extensive range of new works from or based on Indian Sanskrit *śāstra* were drawn into the Buddhist Pali repertoire at this point. Such innovation becoming mainstream within Theravada has been explored by Alastair Gornall with reference to the new production of grammatical works (Gornall 2013), and observed in philosophical developments in the writings of the earlier (?9th century) commentator Dhammapāla (Pind 1997). Buddhaghosa's *Samantapāsādikā* remains the main commentary taken as authority for *vinaya* practice. In it we also see a process of selection and deselection of post canonical interpretation, such as that explored by Crosby with reference to formulae for ordination, the *kammavācā* (Crosby 2000). Huxley refers to this process as the 'canonisation' of certain commentarial texts, i.e. the acceptance of certain texts as authoritative over others. Thus we see both canonical texts and commentaries taken as authoritative in *vinicchaya* literature and modern Vinicchaya courts.

Where this taking of commentaries as suitable textual authorities in the place of silence in the canon has happened in relation to later commentaries in *vinicchaya*-type disputes, Huxley sees it very specifically in terms of the quest for and expression of power. In the 1784 case against Atula under King Bodawhpaya (r.1782-1819), mentioned several times above, the verdict of this case was that all Burmese monks must cover both shoulders with their outer robe when venturing forth, even though Atula had previously successfully argued the opposite. Huxley interprets this judgement as an instance where the Sangha hierarchy, which had managed to secure royal backing in opposition to Atula, employed the mechanism which canonises certain commentaries and deselects others as a way of eliminating a rival:

But which post canonical texts contain the definitive interpretation of scripture? ...The immediate issue was whether the monastic robe should cover both shoulders on such occasions of formal dress as the morning alms-round. Atula justified the exposure of his right shoulder by a passage in the *Cūḷagaṇṭhipada* (Short Book of Glosses), written in thirteenth-century Sri Lanka. To condemn Atula, his judges had to construct a closed list of authoritative *vinaya* sub-commentaries written between the seventh and the thirteenth centuries. They canonized three other books written in South India and Lanka, but excluded the Short Book. Atula was judged by his fellow monks, so monastic claims to autonomy were respected. In practice, though, it was the king who controlled the trial, since he handpicked the panel of judges (ROB 23-4-1784).” (Huxley, 2001: 117).²⁷

²⁷ The names *Anugaṇṭhipada* (Shorter Book of Glosses), *Cūḷagaṇṭhipada* (Short Book of Glosses), *Majjhimaṇṭhipada* (Medium Book of Glosses) and *Mahāgaṇṭhipada* (Large Book of Glosses) are found as quotations in the *vinaya* sub-commentaries, such as, *Vajīrabuddhiṭikā*, *Sāratthadīpanīṭikā* and *Vimativinodhanīṭikā*, that were accepted by the judges. The identity and content of the four *Cūḷagaṇṭhipadas* are hardly to be determined, beyond these brief references, but it is believed that the books were written in Sinhala language. Atula claimed that the *Cūḷagaṇṭhipada* he brought to the *vinicchaya* court was the same book as the *Cūḷagaṇṭhipada* mentioned in the *vinaya* sub-commentaries (Sirīsobhana 1974: 258). However, according to the Sirīsobhana (1974: 187), the Pāli sentences he quoted from the *Cūḷagaṇṭhipada* were previously inserted by an ex-monk, i.e. *cīvarapaṭalaṃ upari saṅghāṭiṃ katvā urabandhanavattthaṃ bandhitabbaṃ* (‘a folding robe should be put on one shoulder and a cloth should be tied the chest’) and *pārumpanaparimaṇḍalarakkhaṇatthāya urabandhanavattthena bandhitaṃ* (‘in order to protect the robe wearing evenly, the chest should be tied with a belt). Atula also admitted

Atula and his followers were sentenced to defrocking and exile to the deep jungles. Previously only serious criminals were sent there. The sentence was commuted afterwards by a request from the *ayon gaing* monks (the two-shoulder faction) (Sirisobhana 1974: 264-265). Even the defrocking is beyond the canonical precedent penalties and Alexei Kirichenko has examined whether it related to an earlier *pārājika* misdemeanour of theft, since his followers were allowed to ordain again (Kirichenko 2012: 25-26.). However, the defrocking for non-*pārājika* offenses has precedence going back to the 3rd century BCE Indian emperor Asoka, the 12th century Sri Lankan king Parakkamabāhu and the 15th century Burmese king Dhammazedi. The subtleties of the case of Atula are less well known than the basic issue of how to wear the robes over the shoulders, and thus the simple version of this story set an early modern precedent for the state giving its backing to Sangha court cases, and for imposing *pārājika*-like penalties for non-*pārājika* offences. This is significant for our exploration of the later development of Burmese monastic *vinicchaya* cases.

In the modern Burmese view of this history, the case is seen as a victory of orthodoxy over heresy, part of the quest to preserve the *sāsana* from corruption, and of Sangha unity over factionalism. Thus the Western scholarly understanding that such cases are fundamentally about power is contrary to the popular Buddhist understanding that they are about protecting the *sāsana*. This results from the rhetoric in relation to the dispute at the time and because we see such cases through the eyes of the winning group. Moreover, the fact that the *sāsana* has indeed been successfully sustained to the present day, reinforces their victory and justifies their campaign. For example, Buddhist narratives about the 12th century reforms in Sri Lanka relate the events entirely in terms of the victory of orthodoxy over heterodoxy – or, since it concerns *vinaya*, orthopraxy over heteropraxy. But it is entirely through the words of Mahāvihāra-influenced Buddhist traditions that the events are relayed, because it was the Mahāvihāra, the reforming institution, which successfully claimed orthopraxy and orthodoxy. Here is Dhirasekera's summary of what the monk Vācissara, who composed the *Simālankārasaṅgaha* in the context of the Mahāvihāra

himself that he added the name of village 'Pokkantigāma in Anurādha District' in the book in order to differentiate it from 'Pokkanrāma (now Pagan)' in Burma lest some people misunderstood that it was written in Pagan (Sirisobhana 1974: 258).

reform, says about his process and motivation in reforming *sīmā* practices other than that of the Mahāvihāra lineage:

The ancient Sīhala monks of Ceylon rectified all errors and scrupulously avoided all irregularities of *sīmā* in the performance of their ecclesiastical acts. It is his conviction that he has successfully argued against and rejected in his work the views of the Coliyan [S.Indian] monks and established the *sīmā* tradition of the Sīhala monks. This, he assures us, is in conformity with the Vinaya texts, commentaries and the manuals. He prays that the unorthodox Coliyan views be rejected by those who desire the stability and well-being of the Sāsana. (Dhirasekera 1970b: 75-74).

Thus Vācissara claims that his primary concern is about the wellbeing of the *sāsana*, a claim which inspired monks in S.E. Asia, who also expressed such concerns, to seek fresh ordination and refreshed textual knowledge from the Mahāvihāra. Yet scholars tend to see this also in political terms, and here we can see why: the Coliya were the people against whom Parākkramabāhu had recently waged a successful war. On top of this new partisan divide, Crosby has pointed out that Parākkramabāhu's role in the 12th-century Sri Lankan monastic reforms reflects a typical pattern of changing kingship: new dynasties favouring a new – often more *vinaya*-oriented lineage – that will destabilise the authority of a wing of the Sangha that had been in favour with the preceding king, as a way of undermining power networks loyal to rivals or former rivals (Crosby 2004). A more recent Burmese parallel to this can be seen in King Mindon's (1808-1878) policy of sending monks from what would become the Shwegyin sect, which has a reputation for strict *vinaya* practice and with which Mindon was closely associated, into what had become British territory after the second Anglo-Burmese war.

Even where there is an agreed, shared textual authority, the lineage of commentarial interpretation can – while, as it were, appearing to continue in a straight line – deviate, selecting and deselecting texts in ways that may subtly alter even canonically based interpretation. Throughout history, a Pali text-based fundamentalism has been claimed by many reformist groups and has inspired many rehearsals of the canonical texts and commentaries, not only those we have

mentioned here. As Tilman Frasch has demonstrated, there have in fact been more councils than the ‘six’ that we tend to count in the Theravada tradition (Frasch 2012, see below). It might therefore seem to have been the only option available to a reformist Sangha concerned about maintenance of the *sāsana*. It was not. As I shall explore at various points in the rest of this thesis, the route of combining Pali-text based scrutiny with a top-down regulation (to use Huxley’s phrasing) was not the only avenue open to the Sangha hierarchy in Burma. There were other models and other voices, which used other criteria for evaluating current doctrine and practice, of which Shin Ukkatṭha’s would be only one. However, whereas secularising, relativising and modernising voices gained and maintained influence in other Theravada countries (see Chapter Two and Conclusion), in Burma such voices would eventually be marginalised, particularly when they, for various reasons, had been jostling for attention at the political centre.²⁸

I have mentioned here not only the use of Pali textual authority but also the contrast between top-down and bottom-up regulation mentioned by Huxley. I shall return later to the transition in Theravada history from bottom-up to top-down regulation that can be perceived in the Pali sources themselves (below and Chapter Two). I shall later examine the factors behind the Burmese Sangha’s move away from the possibility of secularisation and relativism. For now, I wish to outline the nature of the textual authorities, and the possible offences and penalties they portray. This outline can then be used as a basis for exploring the Sangha’s mechanisms of self-regulation – which Huxley sees as having initially been bottom-up – and the weaknesses inherent in it. I shall contrast the accounts of self-regulation in the canon, in which lay people were informed only as necessary, with the account given in the *Samantapāsādikā*, Buddhaghosa’s commentary on the canon, of Asoka’s involvement, which was top-down and with high-status lay intervention. I shall also outline the intermittent sequence of this and other ‘councils’, mentioned above, set up to ensure the correct and full transmission of those textual authorities, responding repeatedly to concerns over *sāsana* decline (below). The most recent period of this anxiety about *sāsana* decline led to the Sixth Council, held in Burma. This was the Council in which

²⁸ An extreme case of such polarity is the position of *weikza* in Burmese Buddhism. I shall not be addressing this here, since it is far removed from our subject, but note the recent explorations of this subject, particularly the interpretations of Patrick Pranke and Juliane Schober in Rozenberg et al. 2014.

Shin Ukkatṭha participated but about which, as we noted in the Introduction, he then expressed his disappointment.

Textual Authorities for *Vinaya* Practice and Judgements

In the Vinicchaya court cases, the judging of right or wrong in monastic behaviour follows the tradition of earlier *vinicchaya* literature, of arguing on the basis of pre-existing authoritative texts. Here I shall give an overview of the key authoritative literature, by starting, as do almost all those participating in the discourse we are examining, with the earliest layer, that of the Pali Canon or *tipiṭaka*.

Scrutiny of monastic behaviour has throughout the Sangha's history been mainly in relation to the *vinaya*, based on the regulations contained in the *Vinaya Piṭaka*, the first of the three main divisions of the Pali Canon. The *Vinaya Piṭaka* consists of three main parts. The first part is the *Suttavibhaṅga* about the fundamental rules and regulations governing the individual lives of *bhikkhus* and *bhikkhunīs*, fully ordained monks and nuns. The term *Sutta-vibhaṅga* means 'analysis/commentary on the *sutta*.' The *sutta*, or 'teaching text' in question, is the *Pāṭimokkhasutta*, which lists the *vinaya* rules monks and nuns must abide by. The *Pāṭimokkhasutta* contains the rules as a bare list, and has clearly been important since early Buddhism since it is the basis of the fortnightly ritual on full and new moon *uposatha* (holy or 'fast' days) at which monks (and historically nuns) gathered to rehearse the rules and either declare themselves pure or confess any wrongdoing.²⁹ Nonetheless, the *Pāṭimokkhasutta* is not considered a canonical text. The text that is considered canonical is the *Suttavibhaṅga*, in which the rules of the *Pāṭimokkhasutta* are embedded within the stories relating their laying down by the Buddha.

The second part of the *Vinaya Piṭaka* is the *Khandhaka*, meaning 'sections', made up of the *Mahāvagga* (great division) and *Cūḷavagga* (lesser division). The *Khandhaka* is

²⁹ In Burma the majority of monasteries usually perform the recitation of *Pāṭimokkhasutta* fortnightly, on full moon day and new moon day. However only a minority of monasteries recites all five sections of the *Pāṭimokkhasutta*: *nidāna* (introductory), *pārājika* (defeat), *saṃghādisesa* (requirements of Sangha for remedy), *aniyata* (indefinite) and *vitthāra* (details). Other monasteries recite sometimes only the first or a few sections. Sometimes they only recite the names of the sections and the number of rules contained within each. In an emergency, the *Pāṭimokkhasutta* can be considered correctly recited in an even more abbreviated form ending with the *nidāna* (the introductory section), for example if a fire has broken out or if there is flooding in the area during the recitation (Janakābhivamsa 2002: 407-408).

basically concerned with the procedures for collective monastic events such as *uposatha* days³⁰ and *kaṭhina* days.³¹ The third part of the *Vinaya Piṭaka* is the *Parivāra* (appendix), a recapitulation of the previous sections (the *Suttavabhaṅga* and *Khandhaka*) with summaries of the rules classified and re-classified in various ways for instructional purposes (Bechert 1991: 512-4, Thanissaro <http://www.accesstoinight.org/tipitaka/vin/>).

There are categories of rules and attendant penalties. Within the *Suttavibhaṅga* each individual rule or offence is set in the context of simple guidelines for dealing with the offenders. These guidelines are ascribed to the Buddha and taken as the ultimate authority for how monks, and originally nuns, should behave and how they should be treated when they do not. They describe what should be done and what should not be done in their daily lives. They prescribe, for example, that monks do not, under normal circumstances, live in a family house or eat in the evening. The rules prescribe their clothing so that it is different from the laity in terms of colour and design. Their appearance is thus completely distinctive from the laity's due to these monastic rules, which they have undertaken to observe from the time of ordination.

As indicated in the table below there are seven degrees of offence recorded in *Vinaya Piṭaka*, from the most serious, which entail lifelong expulsion from the Sangha, to the least severe, which is simply indicated as inappropriate behaviour for monks (Nagasena 2012: 39). The most serious grade of offence, that for which the offender monk is required to disrobe, are the *pārājika* offences, in Burmese *pārāzika kyadè*, as previously discussed. Less serious offences can require observance of probation, penance and rehabilitation, while others merely require confession of the action concerned along with, in cases of petty theft and inappropriate borrowing, confiscation of the offending item. The penalty thus depends on the offence committed by the monk or nun in question. In the case of Burma, we are now dealing only with monks since the nuns (*bhikkhuni*) order in Burma is believed to have died

³⁰ *Upasatha* days fall twice a month, on the full moon and new moon days, on which monks assemble in a *sīmā*, a monastic boundary where they recite *Pātimokkhasutta* (see above footnote).

³¹ *Kaṭhina* days take place only within one month of the year, between 1st day of the waning phase of the moon in October and full moon day of November. During that period, lay devotees offer new robes to the members of the Sangha, who have just completed the rain retreat of three months in a monastery.

out some time in or after the 13th century CE. While the precept-nuns (*thilashin*) communities are flourishing, they are not bound by the full *Vinaya Piṭaka* or its attendant rituals. Therefore I shall henceforth only refer to rules for monks, even though knowledge about the *vinaya* for nuns is still preserved in Burma and forms part of the Burmese national examinations.³²

To make clear the relationship between the rule broken by the monk and the corresponding penalty, in relation to the gravity of rule, I have provided below, on the basis of the *Kaṅkhāvitaraṇī*, a table of the classes of offence and the corresponding penalties. The *Kaṅkhāvitaraṇī*, is, like the *Samantapāsādikā*, a *vinaya* commentary attributed to Buddhaghosa. It is the explanation of only the *Pātimokkhasutta*, whereas the *Samantapāsādikā* is a commentary on the whole *Vinaya Piṭaka* (von Hinüber 1996: 103-111).

Table 1. Categories of rules in the *Vinaya Piṭaka*

No	Chapters of rules	Bhikkhu only	Bhikku.+ Bhikkunī	Bhikkhunī only	Tottal	
					Bhikkhu	Bhikkhunī
1	Pārājika (defeat)		4	4	4	8
2	Saṅghādisesa (Requirements of Sangha for remedy)	6	7	10	13	17
3	Aniyata (indefinite)	2			2	
4	Nissaggiya Pācittiya (expiation with forfeiture)	12	18	12	30	30
5	Suddha Pācittiya (expiation only)	22	70	96	92	166
6	Pāṭidesaniya (exclusive acknowledgement)	4		8	4	8
7	Sekhiya (training rules)		75		75	75

³² The most high-status evidence of the nuns' order since the Buddha passed away was in the period of King Asoka, who convened the 3rd Buddhist Council in Pataliputra, adjacent to modern-day Patna, 235 years after Buddha's demise. His son, Mahinda, and his daughter, Saṅghamittā, were ordained after the council, and then sent to Ceylon (Sri Lanka) for missionary work. From then the nuns' order flourished there until the Coḷa invasion of Ceylon in 11th century, which ended the nun order. Nevertheless, the lineage of the nuns' order survived in Burma until the 13th century. The nuns' order there was believed to have died out when the Pagan dynasty came to end with the Mongol occupation (Crosby 2014: 225). Evidence of female members of the Sangha in the Pagan period can be found in names of abbesses and nuns with the suffix Saṅ in inscriptions. This suffix indicates their membership of the Sangha (Frasch 1996: 307 with note 125).

8	<i>Adhikaraṇasamatha</i> (settlement of disputes)		7		7	7
	Total	46	181	130	227	311

Table 2. Categories of offence in the *Vinaya Piṭaka*

No	Name of offence	Meaning of the offence
1	<i>Pārājika</i>	An offence entailing expulsion from the Sangha
2	<i>Sanghādisesa</i>	An offence entailing an initial and subsequent meeting of the Sangha
3	<i>Thullaccaya</i>	A grave offence
4	<i>Pācittiya</i>	An offence entailing expiation
5	<i>Pāṭidesanīya</i>	An offence entailing acknowledgement
6	<i>Dukkaṭa</i>	An offence of wrongdoing
7	<i>Dubbhāsita</i>	An offence of wrong-speech

Table 3. Categories of offence with their degrees and effect

Names of offences	Degrees of offences	Effect/remedy
<i>Pārājika</i> offence	<i>Garuka</i> (severe offence)	<i>Chajjagāminī</i> (destroying monkhood) [i.e. enforceable defrocking]
<i>Sanghādisesa</i> offence	<i>Lahuka</i> (light offence)	<i>Vuṭṭānagāminī</i> (remedied by living on probation, penance and rehabilitation)
<i>Thullaccaya</i> offence		<i>Desanāgāminī</i> (remedied by making confession)
<i>Pācittiya</i> offence		
<i>Pāṭidesanīya</i> offence		
<i>Dukkaṭa</i> offence		
<i>Dubbhāsita</i> offence		

The remedies for the offence vary depending on the types of offence committed. The 227 fundamental rules for monks are categorised in terms of seven types of offence. These seven are classified further into two kinds: incurable and curable. There are only four offences classed as incurable, briefly summarised as sex, murder, grand larceny and false claim to superhuman achievements. There is no remedy for monks who commit these offences. The remedy for the Sangha is simply his disrobing. There is no further process than that, although if the offence is also illegal (i.e. murder and grand larceny), the state law enforcement authorities or their

parallel equivalent – referred to in the canonical texts by their highest representative, ‘the king’ – may then take further action. As far as the Sangha is concerned, there is no further process of remedy.³³ The person is no longer a monk, with immediate effect, as soon as he has committed any of four *pārājika* offences.

All other offences are curable, without any need for the monk to leave the Sangha. The process of remedy differs, however, depending on whether the offence is categorised as ‘heavy’, i.e. serious, or light. The *pārājika* offences are heavy but incurable. The offences considered heavy but curable are the *saṅghādisesa* offences. *Saṅghādisesa*, literally means ‘the rest of the Saṅgha from the first’. We shall see an example below. If a monk has committed one of these, the procedure of remedy is complex, and needs the Sangha to carry out a process in three stages: an initial part called *parivāsa*, ‘probation’, a middle part, *mānatta* ‘penance,’ and a final part, *abbhāna* ‘rehabilitation.’ In the case of the curable light offences—*thullaccaya*, *pācittya*, *pāṭidesanīya*, *dukkata* and *dubbhāsita*—the remedy consists solely of the offender acknowledging the offences before another monk.

Most of the rules pertain to actions, with very little mention made of views. Thus the rules cover how to behave: what actions to avoid (killing, sexual conduct, stealing, etc.) from serious behaviour down to minor infringements and then – beneath the *pāṭimokkha* rules proper – the avoidance of inappropriate speech and infelicitous conduct. As we have noted, the modern *Vinicchaya* of Burma – in contrast to the *Vinaya Piṭaka* – address both conduct (*vinaya*) and doctrine (*dhamma*). The issues are treated with almost equal severity, and with an opposite degree of attention: far more emphasis is placed on *dhamma*. The SSC, since its establishment in 1980, has brought 17 monastic court cases, of which only three cases have dealt with *vinaya*: all the rest are about *dhamma* (see Chapter Three). Yet it is not that the Sangha and state hierarchy dealing with monastic affairs have been ignorant of the *vinaya* – far from it. U Sao Htun Hmat Win, a Harvard graduate, was Director of the Institute of Advanced Buddhist Studies for the Burmese Ministry of Religious Affairs from 1958 to 1986

³³ The formal process for a monk to leave the Sangha is outlined in the *Samantapāsādikā*, and basically entails his clearly communicating to another person that he is leaving. It then usually involves dressing in lay clothes and taking the 5 precepts, although this sign of continued participation in the Sangha as a lay devotee is not a requirement. The process is the same whether one is leaving because one has failed to keep the *vinaya* or because one has decided to leave of one’s own accord. On this, and more elaborate forms of disrobing, see Crosby 2014b and in preparation.

(<http://www.myanmar.net/nibbana/authors.htm> accessed 20 October 2015) and was thus in that role during the period in which many *Vinicchaya* cases, prosecuted under both U Nu and Ne Win, took place. He wrote a summary of the *Vinaya Piṭaka* regulations for monks in his short book, *The Initiate of Novicehood and the Ordination of Monkhhood in the Burmese Buddhist Culture*, which was published by the Ministry in 1986. There Hmat Win briefly points out that wrong view is only a *pācittiya* offence dealt with in the 68th *pācittiya* rule³⁴ (Hmat Win 1986: 132), which I discuss below. In other words, wrong view is far down on the list of offences and counts as a relatively minor offence, which the offending monk, having been corrected, should simply acknowledge as a fault. In order to see how the early Sangha dealt with monks expressing beliefs regarded by the Sangha hierarchy as wrong views, I shall briefly look at the related rules, and the possible means available to the Sangha of expressing opprobrium.

Dealing with wayward monks in the Pali Canon

According to the canon, the Buddha dealt with monks who held, and persisted in holding, different views in his lifetime. These different or ‘wrong views’ (*micchādiṭṭhi*) relate to the misinterpretation of the rules laid down by the Buddha and of the path to Awakening. The Buddha solved the arguments and wrong views in various ways, either by laying down rules himself, or by allowing the Sangha to take action against the offenders by means of a pronouncement that an offence had been committed, a *ñatticatutthakamma*. This literally means ‘a fourth action being with making known’ and is a procedure consisting of the stating of a motion followed by three repetitions of a formula. The whole process consists of three parts: starting the act or process by reciting the motion, expecting or requesting the agreement from the Sangha by reciting the pronouncement three times and – with no object made – the acknowledgement of the granting of approval by the Sangha. An example of a *ñatticatutthakamma* is as follows:

Let the venerable Sangha hear me. These monks who are followers of Paṇḍuka and Lohitaka who themselves were makers of strife, quarrelsome, makers of disputes, given to idle talk, and raisers of legal questions in the Sangha. If the time is fit for

³⁴ The 68th *pācittiya* rule is *ariṭṭhasikkhāpada*, named after the offender monk, Ariṭṭha (see below).

the Sangha to do so, let the Sangha carry out the *Tajjanīyakamma*, the procedure of Rebuke against the monks who are followers of Paṇḍaka and Lohitaka. Such is the motion (*ñatti*).

Let the venerable Sangha hear me. The monks who are followers of Paṇḍaka and Lohitaka who themselves were makers of strife, quarrelsome, makers of disputes, given to idle talk, and raisers of legal questions in the Sangha.. The Sangha hereby carries out the *Tajjanīyakamma*, the procedure of Rebuke against the monks who are followers of Paṇḍaka and Lohitaka. Whosoever of the venerable ones approves of the carrying out the *Tajjanīyakamma*, the procedure of Rebuke against the monks who are followers of Paṇḍaka and Lohitaka let him remain silent.

Whosoever approves not thereof let him speak.

A second time, the monks who are followers of Paṇḍaka and Lohitaka who themselves were makers of strife, quarrelsome, makers of disputes, given to idle talk, and raisers of legal questions in the Sangha. The Sangha hereby carries out the *Tajjanīyakamma*, the procedure of Rebuke against the monks who are followers of Paṇḍaka and Lohitaka. Whosoever of the venerable ones approves of the carrying out the *Tajjanīyakamma*, the procedure of Rebuke against the monks who are followers of Paṇḍaka and Lohitaka let him remain silent. Whosoever approves not thereof let him speak”.

A third time, the monks who are followers of Paṇḍaka and Lohitaka who themselves were makers of strife, quarrelsome, makers of disputes, given to idle talk, and raisers of legal questions in the Sangha. The Sangha hereby carries out the *Tajjanīyakamma*, the Act of Rebuke against the monks who are followers of Paṇḍaka and Lohitaka. Whosoever of the venerable ones approves of the carrying out the *Tajjanīyakamma*, the Act of Rebuke against the monks who are followers of Paṇḍaka and Lohitaka let him remain silent. Whosoever approves not thereof let him speak”.

The *Tajjanīyakamma*, the Act of Rebuke against the monks who are followers of Paṇḍaka and Lohitaka has been carried by the Sangha. The Sangha approves of it. Therefore is it silent. Thus do I understand.”³⁵ (*Cūlavagga* 3-4; translation based on Rhys Davids 1979: 332-333).

³⁵ *Suṇātu me, bhante, saṃgho. Ime paṇḍukalohitakā bhikkhū attanā bhaṇḍanakāraḁā kalahakāraḁā vivāḁakāraḁā bhassakāraḁā saṃghe adhikaraṇakāraḁā, yepi caññe bhikkhū bhaṇḍanakāraḁā kalahakāraḁā vivāḁakāraḁā*

Such a pronouncement is a formal action under *vinaya* ecclesiastical law, a *ñatti* or 'motion', this one being called '*ñatticatutthakamma*,' and is described in the *Cūlavagga* to the *Vinaya Piṭaka* dealing with legal procedures, *saṅghakamma*.

If the monk, who commits an offence that can be remedied, accepts the formal process that constitutes the remedy, no further action should be taken against him. However, if he persists in holding his view, resists the remedy or frequently recommits the offence even after the Sangha has formally admonished him, further action should be taken against him by the Sangha. The degree of action depends on the degree of the offence. There is a range of such actions and I shall go through them here. Interestingly some of them occur in the *Mahāparinibbāna Sutta*, the account of the last three months of the Buddha's life, his death and cremation. Perhaps they are presented there precisely because it is in the lead up to and period following the passing of the Buddha. After his passing, he is no longer present as the ultimate authority, and the Sangha must find an alternative way of dealing with wayward monks, since they can no longer refer them to the Buddha. It is also in the *Mahāparinibbāna Sutta* that the *dhamma* and *vinaya* are named as the successor to the Buddha. So the *dhamma* and *vinaya* jointly become the teacher and highest authority to which his followers should turn to after his death. There is no person nominated as

bhassakārakā saṅghe adhikaraṇakārakā te upasaṅkamitvā evaṃ vadanti 'mā kho tuhme, āyasmanto, eso ajesi. Balavābalavaṃ paṭimantetha. Tuhme tena paṇḍitatarā ca byattatarā ca bahussutatarā ca alamattatarā ca. Mā cassa bhāyittha. Mayampi tuhmākaṃ pakkhā bhavissāmā' ti. Tena anuppannāni ceva bhaṇḍanāni upajjanti, uppannāni ca bhaṇḍanāni bhiyyobhāvāya vepullāya saṃvattanti. Yadi saṅghassa pattakallaṃ, saṅgho paṇḍukalohitakānaṃ bhikkhūnaṃ tajjanīyakammaṃ kareyya. Esā ñatti.

Suṇātu me, bhante, saṅgho. Ime paṇḍukalohitakā bhikkhū attanā bhaṇḍanakārakā kalahakārakā vivāḍakārakā bhassakārakā saṅghe adhikaraṇakārakā, yepi caññe bhikkhū bhaṇḍanakārakā kalahakārakā vivāḍakārakā bhassakārakā saṅghe adhikaraṇakārakā te upasaṅkamitvā evaṃ vadanti 'mā kho tuhme, āyasmanto, eso ajesi. Balavābalavaṃ paṭimantetha. Tuhme tena paṇḍitatarā ca byattatarā ca bahussutatarā ca alamattatarā ca. Mā cassa bhāyittha. Mayampi tuhmākaṃ pakkhā bhavissāmā' ti. Tena anuppannāni ceva bhaṇḍanāni upajjanti, uppannāni ca bhaṇḍanāni bhiyyobhāvāya vepullāya saṃvattanti. Yadi saṅghassa pattakallaṃ, saṅgho paṇḍukalohitakānaṃ bhikkhūnaṃ tajjanīyakammaṃ karoti. Yassāyasmato khamati paṇḍukalohitakānaṃ bhikkhūnaṃ tajjanīyassa kammaṃ karanāṃ, so tuhṇssa. Yassa nakkhamati, so bhāseyya.

Dutiyampi etamatthaṃ vadāmi. Suṇātu me bhante..... So bhāseyya.

Tatīyampi etamatthaṃ vadāmi. Suṇātu me bhante..... So bhāseyya.

Kataṃ saṅghena paṇḍukalohitakānaṃ bhikkhūnaṃ tajjanīyakammaṃ. Khamati saṅghassa, tasmā tuhṇī, evametaṃ dhārayāmi (Cūlavagga 3-4).

ultimate leader, no *guru* lineage, no Pope to act as a central authority to guide and rule the Sangha. For this reason Huxley, both a barrister and an expert in Pali and Burmese legal literature, refers to the *Mahāparinibbāna Sutta* as a “constitutional document,” setting down the ways in which the Sangha was to function: who or what it should and should not accept as an authority and arbiter, and how it should deal with problem monks (Huxley 2001: 158).

The actions, involving formal motions, that I have found for dealing with problem monks include:

1. *tajjanīyakamma*, the procedure of Rebuke (*Cūlavagga*pāli 3-4)
2. *nissayakamma*, the procedure of Instruction (*Cūlavagga*pāli 14-15)
3. *pabbājanīyakamma*, the procedure of Banishment (*Cūlavagga*pāli 28-29)
4. *paṭisāraṇīyakamma*, the procedure of Reconciliation (*Cūlavagga*pāli 40)
5. *ukkhapanīyakamma*, the procedure of Suspension (*Cūlavagga*pāli 48-49)
6. *pakāsanīyakamma* the procedure of Exposure (for wrong doing) (*Cūlavagga*pāli 349)
7. *samanubhāsanakamma*, the procedure of Admonishment (*Pārājikapāli* 266)
8. *mohanakamma*, the procedure regarding Delusion (*Pācittiya*pāli 191)
9. *brahmadaṇḍa*, the procedure of *Brahma* punishment. (*Parivāra-aṭṭhakathā* 250).

All of these types of procedure are carried out with one of the following four major processes: *apalokanakamma* (formal action of declaration), *ñattikamma* (formal action of motion), *ñattidutiyakamma* (formal action of a motion and one announcement), and *ñatticatutthakamma* (a motion and three announcements) (*Cūlavagga*aṭṭhakathā 39). If the procedure requires only a declaration, the procedure goes under the title of *apalokanakamma*; if the procedure requires only a motion, the procedure goes under the title of *ñattikamma*; if the procedure includes one motion and one announcement, the procedure goes under the title of *ñattidutiyakamma* and if the procedure includes one motion and three announcement, the procedure goes under the title of *ñatticatutthakamma*.

For example, the *tajjanīyakamma* (the procedure of Rebuke) is to be carried out using a *ñatticatutthakamma* (a formal procedure of a motion and three announcements), the *mohanakamma* (procedure of Delusion) using a *ñattidutiyakamma* (formal procedure of a motion and one announcement) and *brahmadaṇḍa* (the

procedure of *Brahma* punishment) using an *apalokanakamma* (formal procedure of declaration).

The *ukkhepanīyakamma*, the formal Act of Suspension is different from the *brahmadaṇḍa*, the Act of *Brahma* punishment, that was given to the monk Channa. A monk punished with the former loses any chance of participating in the *saṅghakamma*, while a monk given the latter is left with the choice of either participating in the *saṅghakamma* or leaving it, as he wishes (*Cūlavaggapāḷi* 489). As long as a monk is under the *ukkhepanīyakamma*, he is suspended from communication with Sangha. Well known cases of monks in the canon who were suspended through the motion *ukkhepanīyakamma* are Channa, for whom the 12th *saṅghādisesa* was laid down, and Ariṭṭha, for whom the 68th *pācittiya* was laid down, mentioned above. The term used in the *Mahāparinibbāna Sutta* for this penalty is *brahmadaṇḍa*, literally the ‘stick (or punishment) of *brahma* (god)’. Immediately before his death, having just given the monks permission to abandon the minor rules after his death, the Buddha has the following dialogue with his attendant monk, Ānanda,

“After I am gone, the monk Channa should be given the brahma penalty.”

“What, lord, is the brahma penalty?”

“Channa may say what he wants, Ananda, but he is not to be spoken to, instructed, or admonished by the monks.”

(*Mahāparinibbāna Sutta* translation Thanissaro 2013: section 6, accessed 30 October 2015)

In a footnote to this section, Thanissaro explains,

“Two rules in the Vinaya – *Saṅghādisesa* 12 and *Pācittiya* 12 – depict him [Channa] as devious & impossible to admonish. Cv.XI reports events after the *Parinibbana*, telling of how news of the brahma-penalty shocked Channa to his senses. As a result, he changed his ways and eventually became an arahant.”
(Thanissaro 2013: note 8)

Pācittiya 12 is a minor rule, against evasive speech and causing frustration. However, *Saṅghādisesa* 12, while still under the light and remedial category is the most serious subcategory of that group. Interestingly for us, it specifically deals with a monk who is hard to correct or advise. So while it is in a sense about behaviour, being obstinate, it also shades over into the area of wrong view in that it is about being willing to hear

and take on board the advice of other monks, which may be in any area, practice or ways of thinking. *Saṅghādisesa* 12 reads as follows:

In case a bhikkhu is by nature difficult to admonish — who, when being legitimately admonished by the bhikkhus with reference to the training rules included in the (Pāṭimokkha) recitation, makes himself unadmonishable, (saying,) “Do not, venerable ones, say anything to me, good or bad; and I won’t say anything to the venerable ones, good or bad. Refrain, venerable ones, from admonishing me” — the bhikkhus are to admonish him thus: “Let the venerable one not make himself unadmonishable. Let the venerable one make himself admonishable. Let the venerable one admonish the bhikkhus in accordance with what is right, and the bhikkhus will admonish the venerable one in accordance with what is right; for it is thus that the Blessed One’s following is nurtured: through mutual admonition, through mutual rehabilitation.”

And should that bhikkhu, thus admonished by the bhikkhus, persist as before, the bhikkhus are to rebuke him up to three times for the sake of relinquishing that. If while being rebuked up to three times he relinquishes that, that is good. If he does not relinquish (that), it entails initial and subsequent meetings of the Community.

(Thanissaro 2013b, accessed 30 October 2015).

As noted when discussing the table of offences above, a *Saṅghādisesa* offence entails an initial and subsequent meeting of the Sangha, with a minimum of 20 monks. This is less serious than a *pārājika* but more serious than any other offence. Moreover, the outcome of the meeting of the Sangha is that the monk in question may be subject to probation, penance, and rehabilitation. What we see in the case of the *brahmadaṇḍa* and in the formal *vinaya* motion of an *ukkhepanīyakamma* is a banishment that puts the monk out of communication with the rest of the Sangha until he is ready to comply. It does not prevent him from being a monk, but his life is dramatically affected by the exclusion. Many studies have looked at the effects and effectiveness of exclusion, and the painfulness of being excluded (Weir 2012). Huxley observes this method of self-regulation as effective in early Buddhism and rejects the contrary theory that the early Sangha must have drawn on external help, pointing out that there is no

evidence of such intervention during the canonical period itself (Huxley 1996: 160-161). Ostracism was in fact a common method of control and punishment in traditional societies and to this day continues to be effective in small self-contained groups, as the early Sangha was. However, as Morris Hoffman has outlined, looking at the history of punishment, as societies become more complex, it becomes untenable (Hoffman 2014: 166).

Another example in the canon of an act of ostracism in the form of an *ukkhepanīyakamma* is the one enacted against Ariṭṭha, during the Buddha's lifetime. This is much more clearly an issue of wrong views. Ariṭṭha does not relinquish his wrong view claiming, "I understand the *dhamma* taught by the Buddha, those acts the Buddha says are obstructive, when engaged in are not genuine obstructions" (*Pācittiya* 177).

The commentary explains that the obstructions referred to here are key features of Buddhist doctrine about obstructions to the soteriological path, namely obstructions in the way of attaining the celestial worlds, *nibbāna*, *jhāna* (trance), *magga* (path) and *phala* (fruition). Five obstructions mentioned in the commentary are:

- 1) *kammantarāyika*, the obstruction due to heinous actions, such as killing one's own mother, father, arahant (enlightened individual), making a schism and shedding the blood of a Buddha
- 2) *kilesantarāyika*, the obstruction due to eternal wrong views
- 3) *vipākantarāyika*, the obstruction due to being born as animal, *paṇḍaka*³⁶, etc.
- 4) *upavāḍantarāyika*, the obstruction due to reviling the arahant
- 5) *āṇāpātikamantarāyika*, the obstruction due to transgressing the disciplinary rules laid down by the Buddha (in power)³⁷.

In this context, the obstruction for Ariṭṭha is this last one. As a knowledgeable *dhammakathika* monk, he understands the first four, but not the last. Thus, he committed a *pācittiya* offense that would be an obstruction for him as long as he has not made a remedy for it (*Pācittiya Aṭṭhakathā* 138). According to the *pācittiya*

³⁶ Various interpretations have been given to this term, for example, hermaphrodite.

³⁷ The Buddha ruled over the monks by means of admonishments for the first twenty years after his attaining Buddhahood, i.e. *ovādapāṭimokkha* (ruled by admonishments). Twenty years after his Buddhahood, he started to introduce the disciplinary rules to control the monks, i.e. *āṇāpāṭimokkha* (ruled by power). Thus here *āṇāpātikamantarāyika* means the transgression of the disciplinary rules laid down by the Buddha himself.

commentary (p 138), Aritṭha is a *dhamma* preacher who is well versed in *abhidhamma* and *suttanta*, but lacks knowledge of *vinaya*. He misinterprets the first *pārājika* rule against sexual intercourse for monks, thinking, “Some lay people enjoying five sensual pleasures have attained the stage of *sotāpanna* (stream winner), *sakadāgāmi* (once returner) and *anāgāmi* (non returner); the monks are also doing the same thing seeing the pleasant object, listening to the pleasant sound, smelling the fragrance, tasting the good food and touching the tangible object; they are also allowed to use luxurious requisites, such as soft mattress and smooth blanket; if those requisites are proper for the monks, the beauty, sound, fragrance, taste and touch of women should also be proper for the monks; the first *pārājika* rule against sexual intercourse is nonsense; sexual conduct should also be proper if it is used with a proper way without having much stronger attachment to it”. This view is identified as a *pācittiya* offence only if Aritṭha still persists in maintaining it after the Sangha has admonished him. It seems that holding this view – which is not the same as acting on it, which would be very serious in the case of his views on sex – is only a *pācittiya* offence, one of the lighter ones. However, because such a view could damage the reputation of the Sangha or *Buddhasāsana*, the formal procedure of Suspension ‘*ukkhepanīyakamma*’ is to be taken after persistent repetition (*Pācittiyaapāḷi*, pp 175-179, *Cūlavaggapāḷi*, pp 47-81). Even though the offence is light, because of its potential for reputational damage, and the iteration of the offense, it becomes more serious and the same penalty may be applied as for a *Saṅghādisesa* offence. Similarly, the offender may remain a monk, but is subject to ostracism.

So far all the punishments enacted against monks who hold different views, or who do not fall in with expectations, consist of various forms of exclusion, not the termination of their monkhood. The most serious of these is the *pakāsanīyakamma*, a procedure of exposure for wrongdoing, which is a kind of banishment and denunciation. It does not prevent someone from remaining as a monk. It could create a schism if the person so denounced has sufficient support. Alternatively, it could lead to a *de facto* end of monkhood by announcing publicly that a monk is not worthy of support. This makes sense in terms of system that was otherwise internal, where punishment was kept within the Sangha. So, whereas infractions are otherwise treated as an internal matter, announcing that a monk is unworthy of support for lack of compliance with the *dhamma* and *vinaya* to lay people breaks such a silence and

informs lay people that they should not support this monk. Hence the term *pakāsanīya* ‘to be exposed’.

The *pakāsanīyakamma* is enacted only once in the Canon, as Shin Ukkatṭha would have occasion to point out (see Chapter Two). It is enacted against the monk Devadatta. Different characters in the *Suttavibhaṅga* characterise different problematic types. There is the Group of Six who demonstrate unruly behaviour. Devadatta is the personification in the Canon of jealous rivalry. Devadatta proposes to the Buddha that all monks should be required to take on five extra rules, rules such as not eating meat and fish, for example.³⁸ The rules all indicate a move towards a more ascetic form of renunciation. When the Buddha declines, Devadatta seeks to create a schism, taking 500 newly ordained monks with him. Ultimately, his attempt fails. To counter his attempt to make schism of the Sangha, the Buddha enacts a so-called *pakāsanīyakamma*, making Devadatta’s wrongdoing public knowledge. This act asks people not to recognise Devadatta as representative of the Buddha, the Dhamma or the Sangha. Whilst not defrocking Devadatta this act effectively ostracises Devadatta and cuts off the support given to Devadatta by lay people. The story of Devadatta escalates. What is interesting, however, is that it does so of its own accord. There is no need for the Buddha, his monks or a lay authority to pursue Devadatta.

Of the cases of misconduct we have explored above, only that of Ariṭṭha comprises a simple case of wrong view. His holding to a wrong view is a ‘light’ (*lahuka*) offense. Of those it is, furthermore, only a minor offense, falling within the class of *pācittiya* offences (see above). However, when the situation is exacerbated when the person of the wrong view does not accept the correction of other monks. Then it becomes the equivalent of a *saṅghādisesa* offence (entailing communal Sangha meetings), still within the *lahuka* offenses, but the most serious level of those. Such an offense can entail various forms of ostracism or suspension, all of which have a view to a reconciliation eventually being made. A monk wishing and willing to recover from the

³⁸ The five extra rules Devadatta proposed are: 1) let the monks be forest dwellers; if they stay in a village, let it be an offense. 2) let the monks beg for food; if they accept food from invitation, let it be an offense. 3) let the monks wear rag; if they accept robes offered by devotees, let it be an offense. 4) let the monks dwell under trees; if they stay under cover, let it be an offense. 5) let the monks be vegetarians; if they eat meat and fish, let it be an offense (*Cūlavagga*, 358-359). For a discussion of these rules and the development of various attitudes to meat-eating and vegetarianism in the different Buddhist *vinaya* see Kong 2015.

suspension must observe the 43 practices that constitute rehabilitation. These restrictive practices include, for example, not to act as a preceptor, not to act as an instructor and not to receive any service from a novice (*Cūlavagga*, p 52). The offending monk remains a monk and there is no time limit set for reconciliation.

The case of Devadatta seems to be a more extreme example of what can happen, though it still does not entail defrocking. Although it would seem to make it impossible for Devadatta, or someone similar, to remain as a monk, because all lay support would stop, what it in fact allows for is a schism. Mendelson notes that schisms are symptomatic of the history of Burmese Buddhism and that each group justifies the split in terms of their own correct *vinaya* practice contrasted with the laxity that they see amongst the wider Sangha (1975: 25).³⁹ Therefore the schism is always caused by the other party and causing schism leads to hell, as it did for Devadatta. Scholars have theorised as to whether Devadatta is in fact an example of a rival leader who went on to lead a different transmission of the Sangha. This account would fit later patterns: the creation of a separate group claiming stricter *vinaya* practice. According to Theravada sources Devadatta's attempt at a schism, by leaving Rājagaha and setting up a new group in Vesālī, is unsuccessful because Sāriputta and Moggallāna visit and convince Devadatta's followers that it is a mistake to follow Devadatta.

The canonical texts do allow for schism in the Sangha, with detailed explanations for this both in the *Cullavagga* and the *Parivāra*, with the *Parivāra* seeking to resolve conflicting positions put forward in the *Cullavagga* (Thanissaro 1994: 145ff.). Thanissaro points out that the early 20th-century supreme patriarch of Thailand, Vajirañāṇavarorasa, whose extensive works on *vinaya* Thanissaro has translated into English, was critical in his *Vinayamukha*, or "Introduction to the Vinaya", of the inclusion of these procedural explanations in the *Vinaya Piṭaka*, since they could be said to encouraging schism (Thanissaro 1994: *ibid.*).

Schisms can take place over Dhamma, Vinaya or a teacher's instructions. Thanissaro writes of two patterns of schism in the *Cullavagga*, one which is bilateral and based on Devadatta's schism, the other unilateral and based on the Kosambi monks, whose story I explain below. In a bilateral schism, a vote on the disagreement takes place among at least nine monks who all belong to the same existing group and

³⁹ On the formation of schisms and their avoidance in the Canon, see also Bechert 1991: 520-522.

there must be at least a roughly even split in the vote in a relatively small group with at least four monks on either side for the schism to take place. In a unilateral schism, the monks who are forming a separate group split off without involving in the decision-making process those from whom they have split. In both cases, the schism is complete once the resulting separate groups perform their own *saṅghakamma* separately.

Although the *Cullavagga* allows procedures for schisms, it also provides for the mechanism we have outlined above for dealing with a schismatic, a monk bent on causing a schism, through reprimand and ostracism. First the *pācittiya* and then the *saṅghādisesa* offence are pronounced; then it addresses what happens when a monk and his followers fail to comply with these. In the case of the Kosambi monks, the Buddha advises the schismatic faction to comply with the main group despite perceiving itself to be unfairly treated, in order to avoid schism itself. This attempt is successful and the Kosambi schism dissolves (Thanissaro 1994). The *Cullavagga* also recognizes that schismatics may be unrepentant and may proceed with the schism. If a schismatic monk is alone, Thanissaro points out, then the ostracism of the isolated monk (*ukkhapanīyakamma*) may effectively prevent a schism:

Technically speaking, the fact that he is no longer in affiliation means that he can cause no more than a crack, rather than a full split, in the Sangha. This, of course, may not end his schismatic efforts, but the fact that the Community met to deal with his case should be enough to alert well-meaning *bhikkhus* that he is following a wrong course of action, and this should help unite the Community against his efforts. (Thanissaro 1994: 149)

While this resolves the problem of a single schismatic monk, the main group is powerless to prevent a schism if their efforts at persuasion fail and the schismatic has a following of four (this presumably being because a group of five can independently officiate at ordinations). It suggests that, at this stage, the monks may want to point out to lay people that they have declared the schismatic in breach of the *saṅghādisesa* offence and explain why, thus to encourage the laity not to support the breakaway group (Thanissaro 1994: 149-50). This is interesting for our purposes in that this gentle engagement with the laity contrasts with the later heavy lay involvement in

the regulation of disputes amongst monks. On the other hand, it indicates the necessity of lay awareness for enforcement, i.e. the moderate enforcement of not providing alms food and other requisites.

To resolve disputes, the *Cullavagga* dedicates a special section, the ‘calming section’, the *Samathakkhandhaka*. This contains seven legal methods of settling or resolving disputes (*vivādādhikaraṇa*), accusations (*anuvādādhikaraṇa*), offences (*āpattādhikaraṇa*) and formal acts (*kiccādhikaraṇa*). What interests us here is the *vivādādhikaraṇa* for settling disputes.

In essence, *vivādādhikaraṇa* takes place between two groups when one group regards a teaching attributed to the Buddha as *dhamma*, while another group regards it as *adhamma*, or when one group holds the monastic rules as *vinaya*, while the other group persists in treating it as *avinaya*. Bechert has shown that in this context *dhamma* should not be taken as doctrine but as the teaching in the *vinaya*, so we are not dealing with issues of doctrine causing a dispute as in the case of the Vinicchaya of the modern period. In other words, each group presents a different interpretation of monastic practice and holds that theirs is correct and the other’s wrong (Bechert 1982: 65). A dispute between them is created, one that persists until the Sangha makes a proper judgement in accordance with the *adhikaraṇasamatha*, the legal settlement on disputes, in the *Vinaya Piṭaka*.⁴⁰

The seven methods of solution for monastic disputes are described in detail in *Cūlavagga* (188-238): 1) *sammukhāvinaya*, (a face-to-face verdict may be given), the solution given to the reconciled monks after making a decision in the presence of the

⁴⁰ The second of the four areas involving settlements, *adhikaraṇa*, are *anuvādādhikaraṇa*, which occurs when a monk accuses another monk saying, “You have transgressed such and such offence” whether or not the latter transgressed it. As mentioned earlier there are seven offences for monks i.e., *pārājika*, *saṅghādisesa*, *thullaccaya*, *pācittiya*, *pāṭidesanīya*, *dukkata* and *dubbhāsita*. If the accusation is made with any of them, that counts as *anuvādādhikaraṇa*. That accusation might be made after the accuser has seen, heard or suspected the transgression, but it might be made as a result of jealousy or enmity. The third, *āpattādhikaraṇa*, is just transgression of offences, i.e. a standard breaking of a rule, which yields neither argument nor accusation. For example, when a monk transgresses any of seven offences, the acknowledgement and penalty for that transgression is itself called *āpattādhikaraṇa*. The fourth or last is *kiccādhikaraṇa* that is known as performing *saṅghakamma*, the formal act of the Sangha, such as the act of announcement for the recitation of *pāṭimokkha*, of *śīmā* consecration and of ordination of a monk.

accused and accuser in accordance with *dhamma* and *vinaya*; (2) *sativinaya* (a verdict of mindfulness may be given), the solution given to an *arahant* who is mindful of everything; 3) *amūḷhavinaya* (a verdict of past insanity may be given), the solution given to a monk who is mad; 4) *paṭiññakarāṇa* (acting in accordance with what is admitted), the solution given to an offender to acknowledge it; 5) *yebhuyyasikā*, (acting in accordance with the majority), the solution given to disputing monks by voting; 6) *tassapāpiyasika*, (acting for his (the accused's) further punishment), the solution given to a monk who is uncooperative when accused; and 7) *tiṇavatthāraka*, (covering over as with grass), the solution given to reunited monks not to speak anymore of any faults of the others, just like covering the excrement with leaves.

Of them, the methods of settlement through a face-to-face meeting, a vote and covering over (*sammukhāvina*, *yebhuyyasikā* and *tiṇavatthāraka*) apply to settling disputes, *vivādādhikarāṇa*, with the voting being the method we have seen applied when it really has come to a matter of schism. I shall discuss this second option more fully in the next section.

The Unrepentant Subhadda and the Repentant Asoka: Models of Bottom-up and Top-Down Regulation

All of the proposed solutions to differences of opinion that lead to dispute that we find in the *Vinaya* presume that the disagreeing parties or the offender will comply with the Sangha's enforcement mechanisms. The compilers of the *vinaya* do concede, however, that a schism is inevitable if both parties genuinely think that they are correct. In other words, each party believes that they have the correct understanding *dhamma* and *vinaya* and that the other party's so-called *dhamma* and *vinaya* is in fact *adhamma* and *avinaya*. If the schismatic is wilfully promulgating *adhamma* and/or *avinaya* as the genuine article, whilst knowing that it is not, then he will end up in hell, as, according to Theravada tradition, did Devadatta. Perhaps this is why the SSC, as we shall see in Chapter Three, place so much emphasis on coercing the parties under trial into signing their acceptance. This is different from a normal guilty verdict in a court case, where the person's initial plea of not guilty stands even if the court finds them guilty. In other words, the SSC does not allow for different interpretations standing, unlike the canonical texts.

In his article, 'The Vinaya: Legal System or Performance-Enhancing Drug' (1996), Huxley investigates this issue of unrepentant monks in the canon further. He looks at

what happens when a monk or monks do not report their own misdemeanours, do not acknowledge their guilt, or fail to comply with a judgement against them. He points to the case of the Kosambi monks whose behaviour is so bad that the lay people refuse to acknowledge or feed them, and explains that this solution, which leaves lay people as the ultimate arbiters, creates a problem for the autonomy of the Sangha. This may be the rationale for informing lay people of a judgement at a relatively late stage in the proceedings, as we noted above. Huxley gives the jurisdictional principles applied when monks refuse to comply with the procedure of *yebhuyyasikā*, going with a majority vote, that we noted from the *Cūlavagga* above:

“When monks go to another monastery for a ruling, they must agree to be bound by the decision, or the monks won’t hear their case. If the disputants will still not agree, then a verdict by referendum can be given. Two *Vinaya* experts are appointed by order to conduct the referendum. If they cannot settle it by committee, they can use a majority vote. If the disputants go from monastery to monastery forum-shopping in search of a favourable verdict, then they must be convinced that the legal issue is settled for good by the three methods of taking the vote: the secret, the whispering in the ear, the open.’ [Vin, II, 92–8].” (Huxley 1996: 146)

Of course the problem remains as to what the Sangha is to do with a monk or group of monks who refuse to abide by a verdict so reached, or who refuse even to engage in the process in the first place. Other than accepting schism, are other options available? And when the offending party isn’t claiming a schism as such, but is simply refusing to comply with appropriate behaviour after due admonishment and warning, what then? Huxley reviews the ‘case law’ provided in the *vinaya* to find a range of proposed solutions ranging from the compliance and agreed process (as discussed above), to group exclusion, whereby all monasteries decline to take on the case until the accuser and accused agree to abide by the outcome and process.

Interestingly, when it comes to the problem of one who does not ultimately accept the punishment, violence or the threat of it is sanctioned. Here is the Buddha’s response to the difficulty of applying an act of banishment, *pabbājanīyakamma*, briefly mentioned above, against two of the Group of Six:

“Off you go, Sāriputta and Moggallāna. Carry out a formal act of banishment from Kitagiri against those monks who follow Assaji and Punabbasu.” “But, Lord, these monks are fierce and rough.” “Then take a crowd of monks with you.” [Vin, II, 11].” (Huxley 1996: 147)

Huxley notes a further example of this, the case of Channa. The Buddha tells Ānanda to take as many monks as he needs with him (Huxley 1996: 160). This suggests rule by majority, not as a result of a vote, but where the monks with the greatest muscle are going to win. The *Papañcasūdanī*, the commentary on the *Majjhima Nikāya*, takes this notion of rule by majority further, suggesting that false monks are in fear when they hear that those who “know the three *piṭakas*” are bent on purifying the Sangha. (Gombrich 1988: 110, cited Huxley 1996: 148). Here the assumption is that the correct position is the one held by the majority, which brings us back to the issue of seeing resolutions to conflict through the lens of the victors, discussed above.

Be that as it may, the texts note the problem that a monk or group of monks may be able to evade the decision of the ‘good’ monks. The question of which are the ‘good’ monks may be in doubt, particularly after the death of the Buddha, with no central authority able to make the ultimate assessment (Huxley 1996: 148). To explore this issue, Huxley examines what he describes as the ‘constitutional law of the early Sangha’, in the accounts of the Buddha’s last months in the *Mahāparinibbāna Sutta*, the First Council in the *Mahāvagga*, and of the criteria for accepting texts in the *Mahāpadāna Sutta* (Huxley 1996: 158-160). This last text lays down that texts may only be added if they are in conformity with what is already included in the Canon, while the *Mahāparinibbāna Sutta* insists that it is the *dhamma* and *vinaya*, rather than any individual, that head of the Sangha.⁴¹

I noted above that *Mahāparinibbāna Sutta* contains a number of points about monks who fail to comply with *dhamma* and *vinaya*. Huxley refers to the criticisms made of Ānanda after the Buddha’s death. These are for not asking the Buddha which rules constituted the minor rules that could be abolished, for soiling the rains-robe of the

⁴¹ Huxley proposes that one purpose of Devadatta being both a cousin and an archenemy is to exclude even a relative of the Buddha’s from taking leadership. We could suggest the same about Ānanda’s weaknesses.

Buddha by stepping on it, for allowing the grieving women's tears to fall on the Buddha's body, for not requesting the Buddha to live longer, and for requesting the Buddha to allow *bhikkhunī* ordination. Ānanda's response is, "I do not myself see anything wrong in what I did, yet I trust my colleagues enough to confess it as an offence." [Cūḷavagga, 485-486, Vin, II, 288]." (Huxley 1996: 160). Huxley points out that this response to being reprimanded by the other monks sets the model for what a monk found guilty should do, even if he is unaware of any fault on his part: he should accept the verdict with humility even though there is a sense that it may be unjust. We shall see that this is the expectation of the SSC in its Vinicchaya cases in the modern world.

Huxley notes two interesting models in the account of the First Council for dealing with other kinds of dissent. The first is Subhadda, who – in contrast to Devadatta wishing to add rules – thinks that the passing of the Buddha makes a relaxation of the rules permissible. Secondly, Purāṇa, rather than accepting the *dhamma* and *vinaya* as recited at the First Council, prefers to be guided by what he himself heard the Buddha preach. The former is reprimanded, while the latter is allowed to go his way. Interestingly, under King Bodawhpaya [r.1782-1819] this story is retold with far more severe consequences for Subhadda, as Huxley notes with reference to Than Tun's translation of the Royal Order of Bodawhpaya (Badon) of 1795 (Than Tun 1983):

[Bodawhpaya's] *rajathat* of 28/01/1795 (which I think was drafted by the 1st Maungdaung sayadaw) adds a detail that I have not found in earlier accounts: 'Mahākāssapa on hearing Subhadda's words said that the old man [monk] should be disrobed, sprinkled with ash and exiled.' (Huxley 1996: 158 note 17)

Clearly this addition is very significant in authorising Bodawhpaya's treatment of Atula's 'one-shoulder' faction. It is indeed found in the commentary. However, it is taken out of context and misses an important further statement that this would be a bad idea:

Mahākassapa thought, "If I now make this old man wear rags, and have him sprinkled with ash and if I exile him [or make him live outside the monastery],

people would criticise us for having disagreements among ourselves even before the Buddha's body has been cremated; so I should be tolerant." (*Mahāvagga-atṭhakathā*, 193)⁴²

The contrast between the interpolated heavy handed treatment meted out to Subhadda in the 18th-century text and the more confident and compassionate response in the canon and commentary, highlights the marked difference between the Buddhism of the canon and the Buddhism found in developed Theravada.

After examining the different attempts to set models and draw up procedures for dealing with dispute, Huxley concludes that during the canonical period the Sangha did not seek external intervention from lay people in its self-regulation. Huxley characterizes the early Sangha as anarchic, by which he means lacking an overarching bureaucratic structure, and as autonomous – complying with the Buddha's word without the threat of violence or sanction, and yet sanctioning violence or the physical might of the majority in evicting wayward monks. His conclusions are all based on narratives found within the Pali Canon. However, he cites two famous episodes of monastic violence in Burma, in the 1690s and 1870s, where monks from rival lineages clashed violently in the streets and claims that in his view, such clashes were in line with canonical narrative: "a vigorous enforcement of *Vinaya* by forcibly defrocking shameless monks" (Huxley 1996: 151). Huxley suggests that the Sangha's own pressures on wayward monks: disapproval and exclusion from within (the *ukkhepanīyakamma*, etc.) or withdrawal of support from without (the lay people not feeding the Kosambi monks) was sufficient, a "bottom-up purification", "a predictable and effective way of pressurising defeated monks." He further cites the observation of the British colonial officer H. Fielding (1859-1917) that this mode of control, including the refusal of support on the part of lay people, was still active in Burma at the end of the 19th century.⁴³ This was at a point when ecclesiastical law struggled to find 'top-down' support from the colonial judiciary and law-enforcement. Fielding wrote,

⁴² *Sace kho panāhaṃ imaṃ mahallakaṃ idheva pilotikaṃ nivāsāpetvā chārikāya okirāpetvā niharāpessāmi, manussā 'samaṇassa gotamassa sarīre dharamāneyeva sāvakā vivadanti'ti amhākaṃ dosaṃ dassessanti adhivāsemi tāva.*

⁴³ H. Fielding's full name was Harold Fielding Patrick Hall, but he used the pen names H. Fielding and H. Fielding Hall. Perhaps he also used the name Henry Fielding (if I have understood the Wellesley Index published by Houghton and Harris Slingerland, 1989: 883 correctly). He changed his surname to

“A monk is one who acts as a monk. Directly he breaks his laws, his holiness is gone. The villagers will have none such as he. They will hunt him out of the village, they will refuse him food, they will make him a byword, a scorn. I have known this to happen.” (Fielding 1898: 147, cited Huxley 1996: 153).

Huxley further points out that this ‘anarchic’ system works by keeping the Sangha units small and local and quotes Ānanda’s mention of the use of the fortnightly *pāṭimokkha* ceremony on *uposatha* days as the ultimate mechanism for maintaining purity:

“The truly enlightened Lord laid down *Dhamma* and *Vinaya*. We meet once a fortnight in groups which cluster round a single village neighbourhood to check what has happened to each other. If a monk has committed an offence, we deal with it according to the instructions of *Dhamma*. Consequently it is *Dhamma*, not our fellow monks, which rules us.” [M, III, 10] (Huxley 1996: 160).

Huxley sees the “top-down purifications” that were to come, with the backing of absolute rulers such as the 3rd-century BCE emperor Asoka (below) and the 12th-century king of Sri Lanka, Parākramabāhu (above) as unnecessary and criticizes similar intervention in the modern world, going so far as to equate them with the early Sangha’s arch-enemy Devadatta:

“The modern state creates a Devadattan “National *Saṅgha* Organisation” which it then manipulates and controls.” (Huxley 1996: 161).

With “Devadattan”, he equates Devadatta’s proposed additions to monastic regulations to the modern-day Sangha allowing itself to be open to developing new

Fielding-Hall by deed poll in February 1913, when he was living in London, as reported in the London Gazette of 21 February 1913 (p.1388). He was an Irish novelist (Houghton and Harris Slingerland *op.cit.* 262) and a Burma Commissioner, who in 1911, after retirement, received the Kaisar-i-Hind medal of the First Class for Public Service in India at the Delhi Durbar. According to the *India Office List for 1905*, he had joined the Indian Civil Service in 1887, becoming an extra assistant commissioner in 1888, an assistant commissioner in 1890 and a small cause court judge from January to June 1892 (*India Office List*, 1905: 512).

rules, a proposition which, as we have seen, the Pali Canon rejects. Huxley is therefore making quite a strong statement about the uncanonical, even anti-canonical behaviour of modern state Sangha organisations.

While such bottom-up regulation may still be effective in practice for much of the Sangha, there are contrasting models of high status lay intervention in Sangha affairs, i.e. that done by the monarch or the state. The most significant of these models for Theravada Buddhism is the Emperor Asoka.

Asoka's intervention in the Sangha is evinced through his so-called 'schism' edict, although – as von Hinüber has shown – the picture given by the inscription and the texts do not fully tally. For example, the inscription mentions texts not all of which are identifiable today.

The account the Pali commentarial texts, beginning with the *Samantapāsādikā*, give of Asoka's intervention relate it to matters not foreseen in the Canon itself. By the time of Asoka, the Sangha's success had led to non-believers with no interest in the *dhamma* and *vinaya* taking monastic ordination solely for the benefits it brings (Gethin 2012: 24). Consequently, the true monks felt unable to hold the *uposatha* day. The *Dīpavaṃsa* indicates that the problem arises in the *Asokārāma*, the monastery built by Asoka himself in his capital (Bechert 1982: 65). To resolve the problem, Asoka sent a minister who proved overzealous. When the minister started killing monks, a horrified and repentant Asoka sought guidance in resolving the problem. He took instruction for seven days from the elder Moggaliputta Tissa. On this basis, Asoka interrogated all the monks to test their familiarity with the Buddha's teachings. He expelled 60,000 of them, giving them white clothes to mark their lay status. (Gethin 2012: 24-15).

This story is the first mention of expulsion of monks for holding the wrong view, *micchādiṭṭhi*. Thus while we find for it no canonical authority, it has authority in no less a figure than the great Emperor Asoka. All the Theravada traditions of Sri Lanka and S.E. Asia attribute the transmission of the *sāsana* to their lands to Asoka. According to the chronicles, along with various relics, he sent his son and daughter as missionaries to Sri Lanka, and the monks Soṇa and Uttara to Southeast Asia. The *Kathāvatthu* of the *Abhidhamma Piṭaka* of the Pali Canon is the canonical text that might be said to define Theravada best in contrast with other forms of Buddhism as well as non-Buddhist traditions. It is attributed to Moggaliputta Tissa. He is said to

have recited it on the occasion of the first *uposatha* made possible by Asoka's purification of the Sangha (Gethin 2012: 25). Furthermore, following the purification, Moggaliputta Tissa held the Third Council to rehearse and ensure the purity of the *tipiṭaka*, which was then transmitted throughout what would become the Theravada world.

It is this juncture, the intervention of the king to ensure the purity of the Sangha, that sets the model for state-sangha relations in the Theravada world to this day, and it is therefore unsurprising that we find expectations on the part of monks that the lay government should support and promote a healthy Sangha and *sāsana*. Following in Asoka's footsteps, other kings also – usually at the invitation of at least one party of monks – provided patronage and the backing for purification of the Sangha. While Bechert has shown that the purification under Asoka appears to have been a local affair (Bechert 1982), Aung-Thwin has shown how in Burma such reform was often a response to the substantial donation of lands, buildings and labour(ers) to the monasteries as the primary form of merit making in Burmese society. He has shown that the effect of such merit making practice could lead to upto 65% of the cultivatable land of Burma being handed over to the Sangha. This situation led to a wealthy land-owning Sangha, with monasteries acting as landlords over tax-free lands to which significant numbers of people gave their service, often as hereditary servants. The result was that kings short on revenue, resources and men might seek to regain such lands for the revenue and the men working on it for their armies or other service. This they could legitimately do by instituting a reform, and finding corruption in a Sangha grown wealthy from excessive donations was relatively straightforward (Aung-Thwin 1979: 677). The 15th-century Burmese king Dhammaceti cites in his inscription Asoka, Parākramabāhu I of Sri Lanka and King Narapatisithu of Pagan as his role models. Even though the contexts within which Asoka and Parākramabāhu undertook purifications were different from those under which Narapatisithu and Dhammaceti did, the rhetoric of purification remains constant. Dhammaceti in turn is cited by later kings, including those of the Konbaung Period, as the model authorising purification of the Sangha (Aung-Thwin 1979: 679-680). In post-Independence Burma, there were additional reasons for rulers to care about the purification and control of the Sangha: the legitimization of the Sangha for mandate from a majority (95%) Buddhist electorate, the loyalty of a Sangha that could sway

popular opinion, and the intimidation of a Sangha that could lead or give credence to political and economic protest. Nonetheless, time and time again we see notions of the ruler maintaining the purity of the Sangha in order to maintain the *sāsana* as the explicit theme.

Returning to the Third Council after the purification by Asoka, the texts rehearsed at it are believed by Theravada Buddhists to be the very same as those found today in the Pali Canon. While this was something Shin Ukkatṭha was to dispute, most Theravada Buddhists accept this view and believe the texts to have been maintained in their pure state through successive rehearsals of the canonical texts or ‘councils’. A number of the purifications in history are associated with further councils for rehearsing the texts. The connection between the two is that the texts both ensure the *sāsana* and act as the criteria against which the conduct and teachings of monks can be assessed. I shall now outline the councils through which the Pali canonical corpus has been transmitted and maintained, culminating in Burma’s position as host of the Fifth and Sixth Councils, the latter of which produced the editions the State Saṅghamahānāyaka Committee uses in its Vinicchaya cases.

The Councils through which the Pali texts were preserved

It is widely believed that in the history of Buddhism, six Theravada Buddhist Councils have been held. The first was held in Rajagaha in BC 544, the second in Vesali in BC 444, the third in Pataliputta BC 309 and the fourth in Sri Lanka in BC 94. Internationally, these are accepted by Theravada Buddhism as the First, Second, Third and Fourth Councils. The two councils held in Mandalay, Burma (currently Myanmar), in 1871 and in Yangon, Burma, in 1954 are known as the Fifth and Sixth Councils (Māgha 1954: 15-36). Frasch points out that, in fact, between the Fourth Council of BCE 94 and the Fifth Council in the 19th Century, at least three more councils had been convened, in other countries: one in what was to become Sri Lanka in 1420, one in what was later the Shan State in 1424 and one in Chiang Mai in the late 1470s (Frasch 2012: 584-587).

As Frasch explains, all the various councils aimed to protect and preserve Buddhism through four measures: purification of the Sangha, pristine copying Buddhist memorials, proliferation of the texts and the perpetuation of Theravada history. While purification has included re-ordination of monks, reforms of Sangha

and convention of Buddhist councils, the copying of pristine Buddhist memorials has included visits by Buddhist missions to the Theravada homelands of Sri Lanka and India, and the restoration of images and architectures in various places after the mission's return. For example, King Tilokaraja built a replica of Mahābodhi in Chiang Mai, and King Dhammazedī attempted to reproduce the Mahābodhi in Pegu.

"Proliferation" refers to the revision (to eliminate accretions of error) and recitation of the texts, which are then spread to different regions far away. "Perpetuation" means implementing a standardized record of Buddhist history by means of Buddhist chronicles with a calendar of its own, starting from the demise of the Buddha. These four measures were the key means through which Buddhists preserved Buddhism.

The disappearance of the teaching of the Buddha's religion or dispensation (*sāsana*) was regarded as inevitable, and as taking place in stages over the course of the 5000 years following the death of the Buddha (*Cūlavagga-aṭṭhakathā*: 127). It will lead not only to the loss of the possibility of achieving enlightenment and escaping *saṃsāra*, but also, through disease, disaster and warfare, to the destruction of society, in five stages of loss, losing the achievements of the stages of the path to enlightenment, the proper practices and presence of the monks and the presence of the texts (Turner 2014: 31).

The same concerns that had informed earlier Theravada councils lay behind the Fifth and Sixth Councils, held in Burma. The Fifth Council was a response during the European colonial period to the fear of the disappearance of the *sāsana*. The Fifth Council was held in Mandalay, Burma, in 1871 during the reign of King Mindon (r.1853-1878). 2,400 scholarly monks, led by the Venerable Jāgara, participated in the council to recite and approve the inscription of the *Tipiṭaka*.⁴⁴ In fact, three years prior to the council, the scriptures of *Tipiṭaka* had been inscribed on both faces of 729 slabs of marble, which were erected, and which have been preserved to this day, in the compound of the *Kuthodaw* Pagoda in Mandalay. They are 107 centimetres wide, 153 centimetres tall and 13 centimetres thick. Before it was inscribed in stone, King Mindon had already had the entire *Tipiṭaka* written on palm leaf manuscripts with

⁴⁴ Jāgara, an abbot of Dakkhiṇārāma-hpayā:gyi: taik, was a respectable elder monk fully provided for by Mindon's chief queen, called *mi hpayā khaung gyi:* or *taung saund daw mi hpayā:*. Therefore, he was also known as *taung saund daw mi hpayā sayadaw*.

iron stylus, ink and gold ink, under the guidance of 134 monks well versed in *Tipiṭaka*, by 100 royal staff who were familiar with the *Tipiṭaka* (Daw Amar 1995: 10).

Erik Braun points out that the Fifth Council was held against a backdrop of anxiety about the *sāsana*, in order to show the strength of Buddhism in the face of significant disasters that occurred during the reign of King Mindon (Braun 2013: 24). These had included the assassination of the heir to the throne, the insecurity caused by the British occupation in Lower Burma (Crosby 2013: 179) and the development of multiple schisms within the Sangha, as discussed above. Overall the situation was one of increasing pressure from the British, which, in the wake of the second Anglo-Burmese war of 1852-1853, led to King Mindon signing the Anglo-Burmese Commercial Treaty. Daw Amar explains that King Mindon's aim in holding the Fifth Council was to prevent the disappearance of the teachings of the Buddha and the *sāsana* by inscribing them on the durable medium of stones (Amar 1995: 11, 30). According to Daw Amar, King Mindon took the example of a rock-cave that Burmese Buddhists, following a story mentioned in a 5th-century commentary to the *Sutta Piṭaka*, believed had preserved Buddhist teachings for millions of years. The *Majjhimaṇṇāsa-aṭṭhakathā* (p.141) relates that the cave had existed since the time of Kassapa Buddha, millions of years ago and had become covered over with clay.⁴⁵ At the time of Gotama Buddha it was rediscovered by chance in a forest when a boar dug through the clay whilst looking for the food. By Daw Ama's account, Mindon considered that rock or stone inscriptions would be significantly more durable than manuscripts, providing firm resistance against natural or man-made disaster. Therefore, Mindon had the canonical texts inscribed on the stones.

In 1954-1956 the Sixth Council was held in the *Mahāpāsāṇa* Cave, Yangon, Burma. The Nyaungyan Sayadaw, Venerable Revata (CE1873-1954), whom we met in discussing the text the *Nyaungyan Vinicchaya Paungchoke*, presided over the council in which 2,500 monks took part: 2,000 from Burma and 500 from other Buddhist countries.⁴⁶ The council involved the verification and recitation of scriptures gathered

⁴⁵ Kassapa Buddha is the third Buddha to live on this planet. Theravada Buddhists believe that five Buddhas will appear on our planet in this era. Of them four Buddhas have already appeared: Koṇāgamana, Kakusandha, Kassapa and Gotama. The fifth and final Buddha is still awaited.

⁴⁶ The record of Sangha Referendum is not accurate. Mendelson (1975: 295) describes, "2000 Burmese monks and 500 foreign monks from four Theravada countries to be invited to the sixth Buddhist council according to the planning session laid down by the Ovadacariya Sangha Nayaka Committee

together from the five Theravada countries.⁴⁷ In this case, the verified *tipiṭaka* and the commentaries were subsequently printed.⁴⁸ The explicit aims and objectives of the Council are noted by the historian Māgha: to purify the *tipiṭaka* of copying errors, to perpetuate the *sāsana* throughout the world by distributing the printed versions of it and to provide the *sāsana* with support from both the newly independent Burma and all other Buddhist countries. Māgha is a lay author, who published an account of the Buddhist councils, “The Complete Historical Facts of the Six Buddhist Councils” *thangāyanā thamaing zon* (1954:35). The Sixth Council was supported by the Burmese president Dr Ba Oo, Prime minister U Nu and Sir U Thwin, and may be differentiated from the Fifth Council by its international nature.

The Pali canonical texts approved by the Sixth Council, verified by monks with textual expertise from a variety of countries, play a major role in Vinicchaya cases in Burma: the *Tipiṭaka* and *atthakathā* texts as established by the Sixth Council are taken as the ultimate authorities on which to base judgments. After the council was finished, the verified texts were gradually published. In contrast with the publications that derived from the Fifth Council *pin-sa-mu*, the books of from the Sixth Council *hsa-hṭa-mū* are neater and clearer with clear paragraphs, references and footnotes. They have been used in religious examinations throughout the country, and are universally depended on with confidence. Therefore, when making the monastic decisions and

(OSNC) in 1951. The OSNC was organized with 7 monks from Burma, 5 monks from Thailand, 5 monks from Sri Lanka, 3 monks from Cambodia and 2 monks from Laos”. However, Burmese sources speak only generally. Māmaka (2009: 196-197) states that the Sixth Council was held in the Mahāpāsāṇa cave in Yangon comprising 2500 monks from the Buddhist countries: Burma, Sri Lanka, Thailand, Cambodia Laos, India, Nepal, Pakistan and Vietnam. Māgha (1954: 35-37) also describes that it was held in participation of monks from five Theravada countries: Burma, Thailand, Sri Lanka, Cambodia and Laos. He furthermore describes 2473 local Burmese monks and 144 foreign monks participating in the opening three days of the council.

⁴⁷ According to Mendelson (1975: 278-280) the scriptures to be verified were mostly believed to be of printed versions. Daw Amar (1995: 34-37) explains that 100 Burmese learned monks visited the stone inscriptions of the Fifth Buddhist Council and compared their text with the version printed by Hanthawadi press, which was the first printing of the *Tipiṭaka* scriptures copied from the stone inscriptions.

⁴⁸ According to Māmaka (2009: 197), the Sixth Council started on 21 May 1954 and completed the Pali canon on 19 May 1956. It continued with the commentaries and sub-commentaries, which were completed on 16 February 1962.

justifying them, the State Saṅghamahānāyaka Committee (SSC) responsible for organization and judgement of modern Vinicchaya cases, makes multiple references to these texts. (See details in Chapter Three).

In Burma, the canonical texts are accessed through or using the support of the various Pali and Burmese commentaries that have accumulated over the centuries. Unlike the canonical texts, the content of the commentaries may be disputed. Expertise in both canonical and commentarial texts was and remains an important credential for making judgements about *vinaya* and *dhamma* in Burma.⁴⁹ In the modern period, it is the canonical texts as approved by the six Buddhist councils that are taken as the highest authority. In other words, Burmese mostly believe the Six Council texts to be the correct representation of the texts that resulted from the First Council. Hence the use of the term *vinicchaya* applied to the court cases that began in the 1980s refers to judgements in relation to both *vinaya*, monastic practice, and *dhamma*, doctrine or teachings, judgements made with reference to the Pali canonical texts as established at the Sixth Council through the lens, where need be, of certain approved commentaries.

External Regulation of the Sangha in Burma

The purification of the Sangha by Asoka discussed as the first example of “top-down” or external regulation of the Sangha is usually taken as the blueprint for state intervention in the Sangha, and all Buddhist rulers hark back to Asoka as a role model in some way. However, an additional point to be noted in reading the *Samantapāsādikā* account of Asoka is that it also appears to be an attempt to limit the power of the king (later state, government or ruler). I say this because the first state intervention is that by Asoka’s minister, who kills first, and makes no enquiry. Asoka is horrified by this action, studies under the most learned monk and when he defrocks monks does so by presenting them with the white clothes of devout lay people. He does not kill them. In this chapter I have already mentioned examples of the way in which this acted as a model for some state-Sangha interaction in Burma, focusing in particular on the case of Atula under King Bodawhpaya. There I explored the relationship between power

⁴⁹ As Nagasena Bhikkhu has shown, the attitude towards canonical texts was different in the royal reform Thammayut lineage in Thailand, such that decisions made in the canon were questioned (Nagasena 2012: 138-139).

and outcome of a case, and the selection of commentarial authorities for a matter that lay beyond canonical strictures. Here I wish to provide a general outline of how the history of regulation of the Sangha by the king or state in Burma continued under Mindon and then under the British.

For the British, I shall focus on the famous case of Okhpo Sayadaw's creation of the *Dwara Gaing* noted above, looking not at the liturgical issue, or the shoe issue which will be discussed in Chapter Two, but on the more complex matter of *sīmā* creation. Concerns over the lack of unity in the Sangha from such developments during the British period and the possibility of incorrect teachings and practice then led to the creation of the 1947 Sangha Act, which governed the Sangha by the time of Shin Ukkatṭha's first trials in 1959. The developments under Ne Win in 1979-80 to form the State Saṅghamahānāyaka Committee (SSC) are discussed in more detail in Chapter Three, to provide context for examining Shin Ukkatṭha's second, posthumous trial.

Further Vinaya Disputes in Burma during the Konbaung and British Periods

Historically, judgments concerning monastic infringements seem to have varied in relation to the conditions and times of their making. We may not be able to figure out the exact record of what criteria or exactly how monastic problems were sorted out in the past, as substantial evidence is lacking. However, there are a few instances recorded in pre-modern Burmese monastic history, which indicate the way that some monastic problems were resolved. Two main periods are notable for us in finding evidence for such matters. One period is under the Burmese Kings of the Konbaung dynasty (1752-1885). The other period started immediately at the end of this, after the departure of the last Burmese King, Thipaw, at the hands of the British.

Within the Konbaung Period, which lasted from 1752 to 1885, two Kings, King Bodawhpaya (r.1782-1819) and King Mindon (r.1853-1878), left a considerable amount of evidence for us relating to their involvement in monastic disputes. Like a number of Kings before them, most famously the king credited with bringing Theravada to Burma, King Anawyahta (1015-1078), and King Dhammazedī, Bodawhpaya and Mindon undertook monastic reforms. The explicit purpose of their reforms was not just to improve the *vinaya* as practised by the monks, but also to facilitate the King's rule over the country by using these monks. A few instances of this are widely discussed by scholars. I have already interwoven the monastic debate during Bodawhpaya's reign

into the discussion of ecclesiastical issues above, showing how the model of trying and defrocking monks for non-*pārājika* issues, based on the Asokan model, became an important moment in Burmese culture and also provided the model for a unified Sangha, governed by a Sangha authority which had the backing and enforcement of the ruler. Here I shall focus on how King Mindon reformed the Sangha.

King Mindon (in 1853-1878) was the nephew of King Bodawhpaya. Mindon ascended throne after a bitter conflict with his cousin, King Pagan (r.1846-1853). King Pagan, an aggressive king who assassinated his brothers, challenged British rule but suffered the great loss of Lower Burma, which led to his replacement by Mindon. Mindon's authority was confined to Upper Burma, which gave him reason to be concerned about the survival of Buddhism. His diplomatic negotiations with the British meant that he did not need to worry about war, giving him more time to focus on the promotion and protection of Buddhism.

King Mindon's attempts to protect Buddhism entailed a number of activities. He sent missionary monks to different regions, who were well educated and well trained. The Thudhammā Council appointed them as *gaing gyoke* (division leader monk), *gaing oak* (town leader) and *gaing htauk* (assistants). The Council itself consisted of eight high-ranking monks in the council appointed by Mindon to look after the monastic and religious affairs.

In addition to sponsoring the carving of the entire *tipiṭaka* on the marble stones so that the teaching would be protected in the future, he asked the Shankalaykyun Sayadaw, who was not a member of *Thudhammā* council but highly revered by the king, to write guidelines for all monks. The missionary monks would then be responsible for implementing these guidelines.

The work that contains these guidelines is called the *Allajjīvinicchaya*, *A-lit-zī-wi-neik-sa-ya* the 'Judgement of Shameless Monks'. Burmese monks were required to live under the rules of these guidelines. If a monk broke one of the rules, he could be prosecuted by the court of *Thudhammā*. While the *Allajjīvinicchaya* can be seen as an indication of the King's protection of the *sāsana*, his interference was not accepted without criticism. For example, a learned monk called Bamaw Sayadaw criticized King Mindon for his control over the Sangha. He was not an outsider, but one of the members of the *Thudhammā* court, the royal Sangha organization sponsored by the King himself. The King forced him to leave the capital because of his criticism. This

exemplifies how the King regarded himself as the ultimate power for the management of the Sangha, suppressing dissent. Although *vinaya* rules are considered to be the authority for the Sangha, the King often interfered with the Sangha and used his authority to control them. It seems that the duty of the king was to make sure monks lived by the rules. Therefore, in Burmese history, the king and the Sangha had a close connection over the settlement of monastic issues.

By the Treaty of Yandabo, Burma lost some lower parts of her country to British rulers, such as Assam, Manipur, Rakine State and Tanintharyi division, after the first Anglo-Burmese war (1824-1826). All the lower parts of the country, namely the Pegu and Yangon divisions, Mon state and Ayeyawady division, including the previously conquered territories, were annexed by the British after the second Anglo-Burmese war 1852. Finally the rest of the country, Upper Burma, was totally annexed by them in the third Anglo-Burmese war in 1885. The British ended the Burmese monarchy by deporting King Thipaw (r.1878-1885), the last King of Burma, to India.

Although we may be able to trace *vinicchaya* back to before the Konbaung dynasty, records of specific instances of monastic legal practice are not very reliable. The Konbaung and British colonial periods were connected to each other in terms of the degree of monastic learning as the monastic expertise re-emerged in response to the political and religious conditions. Nagasena discusses the emergence of *vinicchaya* and other monastic literature as a response to British rule: a need for senior monks to be able to arrive at judgements about Sangha matters in the absence of a Buddhist king as ultimate arbiter in relation to Buddhist regulations in British territory. He suggests that many Buddhist organizations and educational boards such as *Buddha bhāthā kyāna yuwa athin*: YMBA (Young Men's Buddhist Association) as well as Buddhist literature on Buddhist doctrine and practice emerged to defend the identity of Burmese values, and religious and cultural practices (Nāgasena 2013: 132-140).

When the last Burmese King was deposed by the British, it altered the process of resolving monastic issues. Since a king was no longer in power to support the Sangha, the survival of Buddhism therefore largely depended on the Sangha themselves. Previously the King provided oversight of the Sangha through the Thudhammā Council, while supporting them regularly with monastic requisites and ensuring they pursued their monastic practices. Without the king as the primary arbiter and sponsor, the relationship with the broader laity became more influential.

The individual members of Sangha who were capable of teaching became more attractive to the laity and many such capable monks played key roles in defending the *sāsana*. Monks had to prioritize two issues: the protection of the Dhamma and protection of the *vinaya* practices. The former involved learning and teaching the texts while the latter mainly consists of observing the *vinaya* rules by not breaking the fundamental rule of the *vinaya*. Previously, monks were purged by the King if they failed to observe their rules. Such oversight power was now in the hands of the monks themselves. At the same time, there was greater involvement of the laity within monastic affairs, mostly laity from a middle class background. They worked together with the monks for the common purpose of the protection of Buddhism. A few examples of such works were seen with the establishment of *Cetiyaṅgaṇa Pariyatti Dhammānuggaha Aphwe* PWSA (Pagoda's Welfare and Scholarship Association) in 1894, the *Pariyatti Sāsanaḥita Athin* DSEB (Doctrinal Scholarship and Education Board) in 1898, the Buddha *Kalyāṇamitta Athin* OBWF (Organization for Buddhist Welfare and Friendship) in 1897 and Young Men's Buddhist Association (YMBA) in 1902 in Arakan followed by the Yangon YMBA in 1906. Many of them were led by monks with a large number of lay followers inspiring each other for the cause of Buddhism.

Organizations such as a group of *vinaya* expert monks or even a group of laity became the main resources for the Sangha to resolve ecclesiastical problems. If a monk broke rules, a judicial meeting was held either within the Sangha or between the Sangha and laity. The *vinaya* experts were well-versed in Piṭaka texts, and highly regarded by both the laity and monks. Without their expertise on the relevant issues, each decision was impossible to achieve.

One of the key differences that arose from the lack of a king as ultimate authority is that the monks attempted to record the decision and their reasons for it, leading to the further proliferation in *vinicchaya* literature outlined at the start of this chapter. *Vinaya* experts composed or compiled *vinicchaya* works on different issues. Examples of such works are the *Kālika* by Wi-thok-dā-yon Sayadaw in 1894–1916, on the time limitation on food to be received by the monks. Other such texts include the *Mānatta vinicchaya*, on the procedure of remedy for a monk who has committed one of the thirteen *saṃghādisesa* offences, by Sankyaung Sayadaw; and the *Vinayasamūha-vinicchaya kyan*, a compilation of hundreds of *vinicchaya* by U Nigrodha. Another well-known monk is Maingkhaing Sayadaw, who composed the *Tepetaka vinicchaya kyan*,

containing sections on more than 30 monastic topics. Each of their works is based on reports of questions by ordinary monks or laymen regarding the *vinaya* rules.

Many works were composed in response to the insecure status of Buddhism under British rule, since they did not recognize the authority of the *Saṅgharāja*, head of the Sangha or *thāthanābaing*, of the Burmese monks after the fall of Mandalay. The British initially avoided direct involvement in religious affairs directly by being silent in the appointment of the head of the Sangha and by not sponsoring the Sangha, but they accepted or recognized whoever became the head of the Sangha by the appointment of Burmese themselves. Burmese monks continued to select their *Saṅgharāja* after the demise of the last royally appointed *Saṅgharāja*, but his authority was limited. He had no state sponsorship for his administration.

Many small Sangha groups, as mentioned above, were not affiliated to the *Saṅgharāja*. They managed themselves without *Saṅgharāja*'s influence. The *Saṅgharāja*, Taungdaw Sayadaw, died in 1895, ten years after the deportation of King Thipaw. Then Pakhan Sayadaw was appointed as *Saṅgharāja* by the Sangha, although he was not recognized by the British (Mendelson 1975: 181-182). The *Saṅgharāja* recognized by the British was Taunggwin Sayadaw.⁵⁰

There are a number of other differences in the settlement process under the British. Being a non-Buddhist government, the British colonial government did not involve itself directly in monastic issues. One instance is noteworthy to mention here. In 1851, Okhpo Sayadaw by the name of Ashin Ukkamvamsamalā (1817-1905) established a separate *gaing* from the *Thudhammā* group because he refused to accept the validity of an *udakukkhepasīmā*, the monastic boundary established by splashing of water. This *udakukkhepasīmā*, was established by the monks of Henzada (Hinthada at present) town in lower Burma, not far from his birthplace, Okhpo village. According to Okhpo Sayadaw, this *sīmā* was mixed with the *gāmasīmā* (village boundary). Therefore, all Sangha activities, including ordination ceremonies, performed in this *sīmā* were invalid. He prohibited his disciples from associating with those monks who had been ordained in this *sīmā*. This led to the Sangha dividing into two groups in Henzada area. Previously, from the perspective of the Sangha hierarchy, the King would have been able to enforce reconciliation between Okhpo Sayadaw and the

⁵⁰ He was supposed to be the last Burmese *Saṅgharāja*, but the name of *Saṅgharāja* has continued to be used up to the present day, e.g. *Shwegyin Saṅgharāja* (*Shewgyin Tha'-tha-na'-baing*).

Thudhammā group, but the British did not intervene as the British rulers maintained their policy of neutrality in the matter of religious affairs from the beginning of their rule.

As we shall see in Chapter Three, two of the modern Vinicchaya cases resolved at State Saṅghamahānāyaka Committee level also involved the resolution of *sīmā* cases that has been impossible to resolve at lower levels of the Sangha hierarchy. During the British time, there was no such single authority, with monks in fact seeking recourse to the secular law courts over such matters as temple ownership, but without recourse at all when it came to the complex *vinaya* issues of *sīmā* consecration. In the case of Okhpo Sayadaw, many high ranking *Thudhammā* monks in lower Burma tried to persuade Okhpo Sayadaw to reunite with the *Thudhammā*, but in spite of many meetings with Okhpo Sayadaw, the problem was not resolved. If Okhpo Sayadaw had taken this position under a Burmese King, the situation would very likely have been different. The king may well have forced him to reconcile with the *Thudhammā* monks. As a result of this, a new *gaing* (Pali *nikāya*, see Chapter Three) developed, called the *Dvāra gaing* (Nagasena 2013: 100-105). Having a separate *sīmā* and *gaing* allowed the head of that *gaing* to proceed with autonomy. We shall meet Okhpo Sayadaw again in Chapter Two, the biography of Shin Ukkatṭha, because he later sought to challenge the broader Buddhist community in other ways, including by insisting on wearing his monastic slippers when on sacred sites, a reformist move that was widely rejected. Shin Ukkatṭha too had views on the wearing of shoes, as we shall discuss there. However, a more fundamental connection may have been this attitude to authority. British rule allowed for such monks as Okhpo Sayadaw and Shin Ukkatṭha to express their own views and exert their own authority, unchecked by a central Sangha or royal authority.

Monastic institutions became more socially oriented during British rule, and it was through his socially oriented provision of education that Shin Ukkatṭha established a base for himself after his return from India. The reason for the greater social orientation was possibly associated with the policy of the state not being sympathetic to the promotion of Buddhist culture, leaving a vacuum in sponsorship and authority for the monks. This helped bring a close association between monks and laity to defend and promote their religion and culture, a development that can

also be seen in the lowlands area of Sri Lanka which had been longer under European control (Malalgoda 1976).

Such a close association with laity is not so easy for the monks due to their precepts. The proximity and influence of lay people made it easier to break them. Another problem was that different factions could seek support from different quarters. As a result, there were a number of monastic disputes with monks accusing each other of *vinaya* infractions during the British period. Different organizations emerged seeking to address and support the development of Buddhism. The *Saṅghasāmaggī Aphwe* USO (United Sangha Organization) was established in 1919. Its purpose was to bring the monks into a united organization. The *Thāthanāpyu athin*: OMW (the Organization of Missionary Works) was founded in 1942. Its purpose was mainly the propagation of Buddhism. These emerged at the same time as various social religious organizations such as the YMBA in 1902 in Arakan and in 1906 Yangon, and the *Kalayanamitta Athin* in 1897 (Mendelson 1975: 197).

Sixty years after Upper Burma became a British colony, General Aung San declared 'the War of Burmese Independence' giving it the name of "the fourth Anglo-Burmese war." When Burmese people did not follow him as a result of their experiences of defeat in previous wars against the British, Aung San continued the war as a 'Cold War', and eventually won Independence for Burma from the British in 1948 (Tarling 1987: 342). A few months before Independence, a draft Act called the *Saṅghavinicchaya Act*, the 'Act of Judgements about Sangha', was put together.

The draft *Saṅghavinicchaya Act* consisted of guidelines for monastic practice, compiled through the collaboration of all *gaings*. It was agreed by the Sangha throughout the country in 1947 (Maung Maung 1981: 132). This draft was probably intended to ensure that as the Burmese people should rule over Burma so the Sangha should also rule over the Sangha independently after the Independence of the country. The guidelines especially aimed at handling monastic issues. Although many *vinicchaya* had been composed previously by different monastic scholars, they were not universally accepted or agreed by all monks. The involvement of representatives of all *gaing* in the compilation of the *Saṅghavinicchaya*, however, ensured that they were accepted by all branches of the Sangha. Even though some 1500 monks in Mandalay objected to it, this draft act was accepted as the *Vinicchaya-Htana Act* of 1949, modified in the subsequent *Provisional Vinicchaya-Htana Act* of 1951. A

Supreme Sangha Council was established in 1950-51. Through this, monastic affairs were to be resolved through a single Sangha hierarchical authority with the support of the Ministry of Religious Affairs (Mendelson 1975: 240). The process of resolving monastic affairs was initially intended to take place at local level, but became increasingly centralised, with the modification in 1954 to allow ecclesiastical tribunals under the oversight of the civil court, using Vinayadhara Sayadaws selected by the Ministry of Religions Affairs (Mendelson 1975: 241).

When Mendelson was conducting his research into ecclesiastical affairs in Burma in the 1950s and early 1960s, he was able to uncover problems that arose in these courts. He identified the lack of representation of all *gaing*, branches of the Sangha (see Chapter Three), the disinterest of most monks in taking up such posts leading to only politically minded monks becoming judges, and purist Sangha members' resentment of the involvement of civil authorities (Mendelson 1975: 242). The Thudhammā monks dominated the courts, while in contrast the other *gaing* were characterised by their lack of interest in the existence of a single, centralised authority.

A Thudhammā organisation called the Kyaung-haing Sayadaw Ahpwe, the 'Leading Sayadaws Association', closely supportive of U Nu, was consulted by the Department of Religious Affairs in tribunals held from 1959 to defrock monks espousing views unacceptable to the majority of the Sangha (Mendelson 1975: 244 and 332-333), including Shin Ukkatṭha. Mendelson suggests that the monks were responding to the government's will rather than instigating it (*ibid.* 333). As we will see in the next Chapter, Shin Ukkatṭha was arrested and found guilty, but pardoned by the Ne Win amnesty and thus allowed to remain a monk for the rest of his life. It was only under Ne Win that a centralised Sangha hierarchy could hold courts representative of the entire Sangha and with full government support, as we shall read in Chapter Three.

Conclusion

In this Chapter I have discussed the textual authorities and models for Sangha regulation that lie behind the later developments that would allow for Shin Ukkatṭha's posthumous trial for *adhamma*, heresy. This provides information about internal Sangha mechanisms, state mechanisms and their interaction for Sangha

governance. I show the development of *vinicchaya* literature and its proliferation during the later Konbaung and British periods, including the extension of *vinicchaya* from the matters of *vinaya*, monastic rules, to matters of *dhamma*, doctrine/teaching. This is necessary background to understand how Shin Ukkatṭha could be tried so seriously for a matter of doctrine even though, as I showed in this chapter, issues of belief are only a minor infringement of monastic law. I explored the ways in which the Sangha, according to the Canon, could deal with monks who refused to change their views, and how the SSC's methods comply with or differ from this. I also noted that in the earlier Konbaung period, before the arrival of the British, a unified Sangha was achieved under Bodawhpaya's Thudhammā Council, made up of monks with highly respected textual expertise, and that this came to be looked on as a golden era. I contrasted this with the later Kongbaung/British period which allowed the Sangha to divide into different sects and monks to develop idiosyncratic views unchecked, a situation that successive post-Independence governments would seek to rectify.

The topics explored in this chapter set the broader Buddhist, textual, historical and political context for the situation of the Sangha during Shin Ukkatṭha's lifetime and for Shin Ukkatṭha's personal attitudes. They informed his textual expertise, but also his assumption that he did not need to comply with Sangha authorities and his knowledge that a difference in interpretation of doctrine should not be treated with the severity attempted by the Department of Religious Affairs. Shin Ukkatṭha was very familiar with the *vinaya* regulations explored in this chapter, and had experienced the relative autonomy of living under the British. However, in order to understand the distinctive development of Shin Ukkatṭha's ideas and why he became an object of the Sangha hierarchy's concern in the post-Independence era, we need to look more closely at Shin Ukkatṭha himself. In the next chapter I shall provide a biography of Shin Ukkatṭha, showing the other kinds of influences on his life. I shall identify factors which led him to become a prominent figure in the Buddhist revival of Burma and in Burmese nationalism, while at the same time developing views more representative of the global Buddhism that was emerging during this same period. This will pave the way for us to examine how the ideas he developed clashed in the Vinicchaya court of the State Saṅghamahānāyaka Committee of the Ne Win period in Chapter Three.

Chapter Two

The Life and Works of Shin Ukkatṭha

By examining Shin Ukkatṭha's life, we can see that there were multiple influences on him. They contributed to his nationalism and his revisionist attitude to Buddhism, his attempts to alleviate poverty amongst rural Burmese and to the importance he placed on combining secular and Buddhist education. This chapter explores his life story, beginning with his family's impoverishment as a punishment from the colonial authorities for their support of an uprising prior to his birth. After exploring his early education, we examine how it was that Ukkatṭha came to go to India, and the effect exposure to the global Buddhist, theosophist and interfaith networks centred in India at that time had on him. He was exposed to a range of worldviews and religions, to differing forms of nationalism and to debates about the anticolonial struggle. While Ukkatṭha defended Theravada Buddhism as found in Burma in his debates, he also engaged fully in a study of non-Buddhist religions, and his thinking on Buddhism was affected in the process. Exploring his life, up until the end of colonial occupation and the early years of Independence, will allow us to see how the popular image of Shin Ukkatṭha as a radical teacher of uncanonical views and a Communist sympathiser needs to be reassessed by locating him in the context of the time. Doing so will help us understand the forces behind his distinctive approaches to defending Buddhism, to dealing with the Sangha hierarchy, promulgating Burmese nationalism, and educating the poor.

Sources for Shin Ukkatṭha's Biography

Before we turn to look at the setting up of the modern Vinicchaya court cases under which Shin Ukkatṭha was posthumously tried, and the details of his case, we shall in this chapter look more broadly at his life and works.

Shin Ukkatṭha was born in 1897, just over a decade after the third Anglo-Burmese war (1885), which culminated in the complete annexation of Burma. He passed away in 1978, three decades after independence (1948), during a period when Burma was under military rule pursuing a now failing socialist economic policy about which Ukkatṭha had expressed much optimism. The involvement of monks in the riots resulting from dire economic conditions, finding a catalyst in the return of

former UN General Secretary U Thant's body, contributed to the junta setting up a single authority to exert control over monks (Charney 2009: 136-139). Shin Ukkatṭha's followers were among its initial targets. His life thus covered a period of significant upheaval and change in Burma, and the different flow of religious, cosmological and political ideas are reflected in his substantial writings, which included over 30 books as well as numerous articles.

There are various sources for the life and works of Shin Ukkatṭha. In addition to his own writings on various aspects of Buddhism, and the court documents, the main sources that I have used are two biographical works: a short autobiography and a longer biographical compilation. Two biographies written of Ukkatṭha were used as sources by the compilation, but I do not have access to them. In addition to these two works composed during and shortly after Shin Ukkatṭha's lifetime, there are two other major sources. One is *Lūthelūhpyit Pyatthanā* (1964) and the other one is *Pinsama Pebin Nat Hmī Taw:ya Sayadaw* (2015). Though these sources are not about the chronological biography of Shin Ukkatṭha, they include some information about his activities and his experiences. Another source of information is his last living place, which has been preserved as it was when he lived there with a statue in commemoration of him.⁵¹

I shall first discuss the two biographies. The first is Shin Ukkatṭha's autobiography. It is contained within a publication called *Buddha Bulletin* which was written entirely by Ukkatṭha and published in 1961. The book is arranged with two parts each part with its own page run. The first part is paginated from 1 to 81 and is the work that gives the publication its title of *Buddha Bulletin*. It is about the eightfold noble path and mindfulness. In other words it is a fairly typical book on basic Buddhist teachings and meditation, of the kind popular at the time. It is in the second part that we find his biography, with a new page run paginated from 1 to 18. These two parts were bound in a single volume.

Ukkatṭha explains in the book that he wrote it when he was in a hospital suffering from cold and physical weakness caused by exhaustion from his participation in the Sixth Council. He distributed the book in celebration of his 64th birthday. It is the tradition in Burma to celebrate the birthdays of relatively senior

⁵¹ Details of this monastery are recorded on the following website:
http://www.pyustate.com/2011/07/blog-post_8862.html.

monks and abbots publicly. These celebrations often include commemorative publications.

Although this book is first of the two biographies to be published to which I have access, it covers a longer timeframe than the second, which was published in the 1980s. I shall explain this when I turn to the latter book below. The autobiography contained in the second section of *Buddha Bulletin* book offers an account of his life from his birth in 1897 up to his arrest for *lūthelūhpyit* in 1959.

Ukkaṭṭha arranged his biography in short, titled paragraphs, with most of the titles including his name, for example, *childhood-Ukkaṭṭha*, *student-Ukkaṭṭha*, *novice-Ukkaṭṭha*, *monk-Ukkaṭṭha*, *teacher-Ukkaṭṭha*, *missionary-Ukkaṭṭha*, *pāli teacher-Ukkaṭṭha*, *headmaster-Ukkaṭṭha*, *colonial-revolutionary-Ukkaṭṭha*, *three-times-arrested-Ukkaṭṭha*, *sāsana-hero-Ukkaṭṭha*, *forest-dweller-Ukkaṭṭha* and *Sixth Council-Ukkaṭṭha*. It concludes with his attempt to establish a Buddhist university in Nat Hmī Taw:ya monastery in Taungdwingyi, near the monastery where he was then living, which is located round about 50 miles west to Naypyidaw, the present capital of Burma. This attempt to set up a university had been unsuccessful because of to his arrest in 1959 for his *lūthelūhpyit* case. He would eventually be acquitted of this case, but not until 1963, so he did not know this at the time of writing. The later biography compiled by his followers appears not to cite or refer to this short autobiography.

That later biography, entitled *Ukkaṭṭhatthacariyā*, ‘The Practice of Ukkaṭṭha’ is the longer of the two books. It contains 393 pages of which pages 1 to 310 are about his life and pages 311 to 393 contain 12 of his articles republished from the *Ledi Dhamma Journal*. This newspaper was connected with the famous monk Ledi Sayadaw. Ledi Sayadaw had founded the World Buddhist Missionary Association (WBMA) in 1913 in Mandalay. This was followed by the establishment of 24 sub-WBMAs in larger cities throughout Burma. The WBMA worked closely with Pali Text Society of England. The WBMA also published a Burmese journal known as the *Ledi Tayā: Thadin: Zā* or the *Ledi Dhamma Newspaper Journal* (Nyanissara: http://store.pariyatti.org/Short-Biography-of-Ledi-Sayadaw-A--eBook_p_4569.html) and this journal included items such as religious articles by monks and lay people as well as news about religious activities, such as robe offering ceremonies and new year events. Shin Ukkaṭṭha wrote his articles and sent them to the *Ledi Dhamma Newspaper* in 1926-1928, while he was living in India (see below).

The *Ukkaṭṭhatthacariyā* biography is for some reason incomplete, and does not give us a full account from his birth to his death. Rather it details only half of his life. He was born in 1897 and passed away in 1978, but the biography describes only his life up until 1941. This means that it does not cover his various arrests, although I do not think that this was necessarily the reason for the premature end of the biography. Perhaps the book was intended just as the first volume of a complete biography, compiled by his followers after his posthumous conviction by the SSC. The process of producing this volume was not smooth and no further volume appeared. The volume was subject to several obstacles. U Ko Ko Lay was the first person who attempted to write it, but he passed away while compiling the data. U Lwin took up the baton but was unable to complete the work, as he was overwhelmed by his work relating to the establishment of Shin Ukkaṭṭha's statue (see below). Eventually the project was handed over to U Mya Din and his associates who completed it. The next delay was due to the expense of publishing what was already a long book. To resolve this problem, U Mya Din and his friends issued a booklet about the project of compiling Shin Ukkaṭṭha's biography and its need of financial support. The booklet was also submitted to the SSC who, despite Shin Ukkaṭṭha's guilty conviction of just a few years earlier, replied that there was "no need to check [the leaflet] as it has not come with the draft of his biography" (Mya Din 1987: ၁၁). They then distributed the booklet to his devotees and in return received the necessary financial support. The various compilers mentioned above were devotees of Shin Ukkaṭṭha, not famous authors, and I therefore know of them only through this work – I have not any other records of them.

In the book, the compilers give credit to many people – monks, precept nuns and laypersons – from whom they acquired their information. They interviewed a wide range of people, in many towns and villages. From his close pupils they received documents that were invaluable, especially two articles about his life: 'Life of Shin Ukkaṭṭha and Abhidhamma' written by Dagon U Hla Be published in 1967 and 'An active life of Ashin Ukkaṭṭha, the Taungdwingyi Myo. Nat Hmī Taw:ya Sayadaw' by Ashin Dhammapiya issued in 1977. I have not been able to track down these documents, but information from them is included in this later biography. Ashin Javana, who lived with Shin Ukkaṭṭha for 50 years (see below), also provided his records to the compilers.

The book was named *Ukkaṭṭhatthacariyā*, The Life Series of Shin Ukkaṭṭha. In the introduction, the compilers made explicit comparison of three aspects of Shin Ukkaṭṭha's life to three *cariya* 'paths of conduct' or 'life' the Buddha practised. The first aspect, *Ukkaṭṭhatthacariyā*, Ukkaṭṭha's time spent studying in Burma and India for the benefit of his own knowledge is compared to the *Buddhatthacariya*, the practice for Buddhahood. The second, *Ñātatthacariyā*, his time spent attending to social welfare for the sake of the Burmese people is compared to the *Ñātatthacariya* of the Buddha, the Buddha's practice for relatives. The third, *Lokatthacariyā*, the portion of his life spent passing on the Buddha's teaching to the people is compared to the *Lokatthacariya* of the Buddha, his practice for the benefit of the world (*Dhammapada aṭṭhakathā* vol.2: 275).⁵² I do not know if their intention was to complete all these three phases in their biography of Shin Ukkaṭṭha.

Unfortunately the book does not include its press name or year. I estimate that it was published in the late 1980s because the compilers were engaged in seeking funds for the publication in 1984.

The third book I mentioned is the *Lūthelūhpyit Pyatthanā*. It contains 416 pages, was written by Thakhin Myat Saing, one of the devotees of Shin Ukkaṭṭha, and was published in 1964. This book is mostly arranged as questions and answers relating to the *Lūthelūhpyit* case. The author put questions to Shin Ukkaṭṭha about the doctrine of *Lūthelūhpyit* and recorded his answers. This book tells us about the arrest of Shin Ukkaṭṭha in 1959 caused by his publication of *Lūthelūhpyit*, his release, the *pakāsaniyakamma* against him by the Sangha and the author's view of Shin Ukkaṭṭha's arrest. The most part of this book discusses *Lūthelūhpyit*, so will be useful for the final part of this thesis in which I address the 1980 court case.

The most recently published book, *Pinsama Pebin Nat Hmī Taw:ya Sayadaw*, is a collection of various articles about Shin Ukkaṭṭha compiled by Maung Ze Yar, and published at Pagan Press in 2015. Maung Ze Yar has been arranging a series on prominent people called *Takhit Tayauk* ('One Period, One Person'). The purpose of this series is to archive those people who have dedicated their lives to contributing to the social wellbeing and development of the country. This book is the seventh in the series. It contains 450 pages and 28 articles written by 19 different authors and Shin

⁵² I am grateful to my younger brother Ashin Khemācāra who bought this book at a street market in Yangon and sent it to me.

Ukkaṭṭha himself. It includes four English articles, and a foreword that G.C. Lall had written to an English version of a book by Shin Ukkaṭṭha apparently published under the name of *Twin Paths* at the Ideal Technical Press in Lucknow (India) in 1958. The Burmese version of this book is listed under his publications. G.C. Lall was a friend of Shin Ukkaṭṭha for over thirty years, offering him guidance throughout their friendship (Maung Ze Yar 2015: 449). Some of the articles in this book tell us about the life story of Shin Ukkaṭṭha, his educational activities, his meeting with General Aung San, and his arrests by the British, Japanese and the Burmese governments. In addition to being interesting for its content, its recent publication indicates Shin Ukkaṭṭha's still being a subject of interest for the Burmese. Since this book was published relatively recently, I have not been able to accommodate all of its information in this thesis.

Online sources about Shin Ukkaṭṭha are very rare. Most of his books and the books about him are unavailable online. Some pieces of information which are useful to some extent can be found on the website http://www.pyustate.com/2011/07/blog-post_8862.html which provides such information as his last living place, statue and his daily routine.

Early Life and Education

Before looking at Shin Ukkaṭṭha's writings, I shall provide a timeline based mainly on the sources outlined above.

Shin Ukkaṭṭha was born as Aung Zan Tun in 1897 in a village named Simitun, Taungdwingyi Township, Magway Division (alternative English spelling Magwe). Although Shin Ukkaṭṭha is name given to him at his ordination, I shall use it throughout this chapter in spite of the anachronism of doing so for the years prior to his ordination. Just over one decade before he was born the British had completed the annexation of Upper Burma, such that the whole of Burma was now ruled as part of the colonial empire. Shin Ukkaṭṭha's hometown, Taungdwingyi was conquered by the British in 1885, in this third and final phase of annexation.

There were several rebellions against the British following the annexation.⁵³ The leader of one of these was Bo La Yaung, grandfather of the future General Aung San, the independence activist and 'father of the nation'. He was also called Bo Min Yaung or Shwe La Yaung and known as a prominent rebel. He was a head of the village of Myolulin which is 10 miles from Taungdwingyi and 6 miles from Myothit. His group rebelled against the British between 1885 and 1895 in the area around Taungdwingyi. Before he was born his parents had been wealthy, their wealth being based on agriculture, and they lived in Myothit town. However, during the fighting of one rebellion, many houses, including that of his parents, burnt down. Afterwards, they were arrested by the Indian military working for the British, on account of providing material support for the rebels. Their possessions were confiscated by the British authorities, who identified it was the property of rebels, and they were jailed in Aungbauk prison. Fortunately one of Shin Ukkattha's uncles was a policeman at that time. He negotiated with the British to release his relatives and they were set free. However, the confiscation of their property reduced them to poverty. Poor, and afraid of being re-arrested by the British if they were to carry on living in Myothit, they moved to the village of Simitun. It was here that Shin Ukkattha was born, the youngest of three siblings (May Din 198? 5, 6, 14, 15).

At the age of 7, following the tradition for young boys in rural Burma, Shin Ukkattha was sent to the Yadanā Pinsī monastery, just a mile from his village. He spent three years as a temple boy, receiving the basic education necessary for becoming a monk. This included basic literacy and the core litanies necessary for performing Buddhist rituals. These litanies included *paritta* texts, 'protection' texts recited for apotropaic purposes as a core part of most Theravada rituals, the *Namakkāra*, verses for paying homage to the Buddha attributed to Buddhaghosa, useful for the homage to the Buddha that is also part of all Theravada rituals and the text *Atwin: Aung Gyin: Apyin Aung Gyin*, some verses about the Buddha's victory over the *Māra*. Shin Ukkattha also began his study of Pali at this time, studying the *Saddāgyi: Shitsaung*, 'eight chapters on Pali grammar.' This prepared him for ordination as a novice at the age of 10.

⁵³ Some of the rebels against the British were: Kyimyindaing Minthar and Bo Cho in the area of Pagan and Poppa; Bo Ywe in Mindon; Bo Uttama in Lekaing; Bo Myat Hmon and Bo Maung Gyi in Mitthila; Bo Kan, Bo Hnan and Bo Shan in Tharsi; and Bo La Yaung in Taungdwingyi.

Soon after being ordained, Shin Ukkatṭha was sent to Mandalay for further studies at the Old Withuddhāyon Monastery, Withuddhāyon Taik Haung. This was a sign of the abbot's recognition of his promise as a student, since students with good potential are sent on to learn new skills at bigger centres of learning. After two years there, he moved to the New Withuddhāyon Monastery, Withuddhāyon Taik Thit, also in Mandalay.⁵⁴ The first Withuddhāyon Taik monastery had been established in the eastern part of Mandalay during King Mindon's reign. In a later period, another Withuddhāyon Taik was established as a branch of the first, in the western part of Mandalay. That is why the first one was called Withuddhāyon Taik Haung, and the second is Withuddhāyon Taik Thit. During those periods he studied various Pali grammars, *abhidhamma* and *vinaya*. The *abhidhamma* is the distinctive account of causality, psychology, ethics and cosmology that characterize Theravada Buddhism. It is found in the third of the three collections, *piṭaka*, that make up the Pali canon (see Chapter One, also Kyaw 2013: p.12). In Burma, in the 19th century, the preservation of expertise in *Abhidhamma* became particularly emphasised, as part of the response to the fear of decline of the *sāsana* brought about by colonialism (Kyaw 2014: pp.111 ff.). The core of *abhidhamma* education in Burma has, since the 17th century, been an 11th century compendium, the *Abhidhammatthasaṅgaha*, known in Burmese as *Thingyo*. It is a terse summary of *Abhidhamma* system by Anuruddha. It is usually studied with the 12th-century commentary, the *Abhidhammatthavibhāvinī* by Sumangalasāmi. Shin Ukkatṭha studied both of these at his new monastery as well as *Dhammasaṅgaṇī*, the first of the canonical texts from *Abhidhamma Piṭaka*. He also studied *vinaya*, monastic discipline, focusing on the *Kaṅkhāvitaraṇīatthakathā*, Buddhaghosa's 5th century commentary of *pāṭimokkha*, disciplinary rules, which govern a monk's life and must be recited at the fortnightly monastic *uposatha* ceremony. He also studied some of the canonical texts, i.e. *Pārājika* from *Vinaya Piṭaka*. From the *Sutta Piṭaka* he studied the

⁵⁴ In Burma when a second monastery is established as a branch of the first monastery with the same name under the same lineage in the same city, it is usually called a "new monastery", such as *Maso:yein Taik Haung*; or *Maso:yein Taik Thit* and *Withuddhāyon Taik Haung*; or *Withuddhāyon Taik Thit*. Furthermore, the branch monastery is also named depending on the direction, for example, the *Khin Ma Kan* monastery was set up in the eastern part of Mandalay, later a branch of it was established in the western part of Mandalay. In this case, the former was called *Ashe. Khin Ma Kan Taik* (eastern Khin Ma Kan monastery) and the latter was known as *Anauk Khin Ma Kan Taik* (western Khin Ma Kan monastery).

Sīlakkhandhavagga. Thus we find that as a teenager, Shin Ukkatṭha had already studied Burmese and Pali, canonical texts and commentarial works.

Shin Ukkatṭha also developed a gift for writing at an early age. This became apparent when he was only a teenager when he was still pursuing his education in the second of his two monasteries in Mandalay, the Withuddhāyon Taik Thit. In 1912, aged just 15 years old, he wrote a novel called "*Sein Tint Gyi*". *Sein Tint Gyi* is the name of the novel's female protagonist. Apparently the novel was about contemporary life (Mya Din 1987: 39). Unfortunately I have not been able to track down a copy of it.

At the age of 17, in 1914, Shin Ukkatṭha left Mandalay and moved to Mahāvisutārāma monastery in Pakhukku, Magway Division, for the purpose of further studies of canonical texts, commentaries and sub-commentaries. At that time in Burma, Mahāvisutārāma monastery of Pakhukku was famous for textual studies and for this reason was known as Nikāya University (*Nikè Tekkathō*). Nikāya means a division, and in Pali either means a division of the texts, usually those within the *Sutta Piṭaka*, or a division within the Sangha (see Chapter Three). However, in this Burmese context it means 'collection of all the Buddha's teachings'. This was therefore the place to study at if you wanted to develop expertise in Pali canonical and commentarial literature. There were a few other major centres for learning at the time. One was the Zagyan: Monastery of Myingyan, famous for the teaching of the Pali grammar *Kaccāyana*, which is the root text for Pali grammatical studies. The Ledi monastery of Monywa was known for studying the grammar, the *Rūpasiddhi*, as well as *alaṅkāra*, i.e. decorative proses, and *chandamedinī*, methods of verse composition. Meanwhile, Tu:maung: monastery in the former capital of Amarapura was the place to go to for Abhidhamma studies (Mya Din 1984: 42). Shin Ukkatṭha's choice of monasteries shows his interest in Pali literature *per se*, an interest in core literature that he would later pursue in other religions, particularly during his studies in India (see below).

His progression was such that only a year later, in 1915, he moved to Phayāgyi: monastery in Shwebo in Sagaing Division in 1915. Here he was engaged in teaching novices. However, he was also able to continue his own studies and learnt traditional astrology, a subject he would become critical of later in life. Moving from monastery to monastery like this is a kind of culture for monks or novices pursuing monastic education in Burma. The reasons for choosing each monastery might be

because the monastery is famous for a particular teaching, or convenient for studies, or is a monastery associated with one's relatives. Shin Ukkaṭṭha's final move as a novice was to Chan:thāgyi: monastery, back in Mandalay, in 1916. There he learnt Pali poems and Burmese poems. Later that same year he moved back to his native village, Simitun, at the age of 20, in order to be ordained. He was ordained in the *Khaṇḍasīmā*⁵⁵ in the Yadanāpinsi monastery, Taungdwingyi. To receive the higher ordination, *upasampadā*, one needs four requisites: clothing, food, accommodation and medicine. Sponsoring a man for ordination by providing these is one of the most meritorious acts for lay people in Theravada. For him, these four requisites were provided by two sisters, Daw Mya Than and Daw Phwā: Ohn of Taungdwingyi. His preceptor was Taw:yabiman Sayadaw. His two teachers, Yadanāpinsi Sayadaw and Thayettaw: Sayadaw were among members of the Sangha in the *sīmā* for the ordination ritual.

Later, when he filled in his profile in the teachers' list when he established the Okkata's Buddha Mission School (OBM School), in the blank space for educational qualifications Shin Ukkaṭṭha simply wrote "Nothing". However, while he did not pass any formal examinations, he had already, by the age of 20, become a learned monk. The fashion for the Buddhist examinations run by lay and monastic organisations which flourished during the 20th century was still in its infancy (Turner 2014: 66-71). Shin Ukkaṭṭha was following the more traditional route, where credentials were based on one's learning and the reputation one gained thereby. According to the biography of him compiled by his followers after his death, most of Burmese monks recognised him as an intelligent and learned monk saying, "If *tipiṭaka* examinations has started at that time, Shin Ukkaṭṭha would have been the youngest *tipiṭka* monk in Burmese *sāsana* history, but unfortunately the examination started only after the independence of Burma in 1949" (Mya Din 198?: 24). As Pyi Kyaw has explained, "The Tipiṭakadhāra Selection Examinations (TSE) began in 1949 under U Nu's government. It consists of two components: oral and written. The oral examinations cover the *Vinaya Piṭaka* (all five volumes comprising 2260 pages), the *Dīgha Nikāya* of the *Sutta Piṭaka* (2 books comprising 782 pages) and the *Abhidhamma Piṭaka* (13 books comprising 4,987 pages), a total of 20 books with 8027 pages. In addition, the written

⁵⁵ *Khaṇḍasīmā* literally means a 'cut' portion of land consecrated within a larger consecrated area or monastery compound. According to *Samantapāsādikā*, it is called *Khaṇḍasīmā* because it has been established within a *Mahāsīmā*, the larger monastic boundary (Nagasena 2012: 308-309).

component extends to include the exegeses on these canonical texts.” (Kyaw 2014: p. 130, note 304). To pass the TSE is one of the highest demonstrations of learning possible for a monk in Burma and to date there have only been 13 Tipiṭaka Sayadaws⁵⁶. This comment is thus an indication of the level of Shin Ukkatṭha’s learning, which would also be recognised by his inclusion in the committee of monks who performed the Sixth Council (see below). It also indicates that his later rejection of parts of the canon and its teachings was on the basis of the strength of his knowledge, and not on ignorance.

During his first year of monkhood, Shin Ukkatṭha moved to Thayettaw: monastery in Myothit 16 miles far from his village. He taught monks and novices there, but he was still not satisfied with the extent of his own knowledge of canonical texts. He had learnt most of the Canon and commentaries, but he was yet to learn the *vinaya* texts and commentaries thoroughly, even though this was a subject he had started several years earlier. He therefore moved to Shweyesaung Monastery in Mandalay in 1917 and there studied *vinaya* texts, such as the following sections of Buddhaghosa’s *Samantapāsādikā*, his commentary on the *Vinaya Piṭaka* as a whole: the *Pārājikakaṇḍa-aṭṭhakathā*, *Pācīyādi-aṭṭhakathā*, *Cūlavagga-aṭṭhakathā*, *Mahāvagga-aṭṭhakathā*. Thus he became familiar with most aspects of the *vinaya*, both the details of behaviour expected of monks and the rules to regulate it. He would draw on these in his rejection of the *pakāsanīyakamma* against him (Ukkatṭha 1966). He also drew on them, together with the details of Theravada’s own account of the establishment of

⁵⁶ 13 Tipiṭaka Sayadaws:

Bhaddanta Vicittasārābhivaṃsa, the *Mingun Sayadaw* (1911-1993) awarded aged 42,
 Bhaddanta Neminda, the *Pakhukka Sayadaw* (1928-1991) awarded aged 32,
 Bhaddanta Kosalla, the *Pyi Sayadaw* (1927-1995) awarded aged 36,
 Bhaddanta Sumangalālāṅkāra, the *Mahāgandhāyon Sayadaw* (1946-2006) awarded aged 28,
 Bhaddanta Sīrindābhivaṃsa, the *Yaw Sayadaw* (1943-) awarded aged 42,
 Bhaddanta Vāyamindābhivaṃsa, the *Yezagyo Sayadaw* (1955-) awarded aged 40,
 Bhaddanta Silakkhandhābhivaṃsa, the *Mawgyun Sayadaw* (1964-) awarded aged 36,
 Bhaddanta Vaṃsapālālāṅkāra, the *Myinmu Sayadaw* (1965-) awarded aged 34,
 Bhaddanta Gandhamālālāṅkāra, the *Myingyan Sayadaw* (1968-) awarded aged 33,
 Bhaddanta Sundara, the *Sunlun Sayadaw* (1955-) awarded aged 48,
 Bhaddanta Indapāla, the *Rammāvatī Sayadaw* (1960-) awarded aged 43,
 Bhaddanta Abhijātābhivaṃsa, the *Sagaing Sayadaw* (1968-) awarded aged 41,
 Bhaddanta Indācariya, the *Budalin Sayadaw* (1964-) awarded aged 48 (Bon Shwe Zin 2012: 49-61).

the canon, in his assessment of the Sixth Council in his response to U Nu (Ukkaṭṭha 1955) and in his rejection of the Abhidhamma, topics we shall return to below and in Chapter Three. Other *vinaya* texts he studied at this time include the *Vajīrabuddhiṭikā*, which was compiled in around the sixth century CE (von Hinüber 1996:171), and the *Vimativinodanīṭikā* ('dispeller of wrong opinions') written in the 12th-13th century by Kassapa.

In Chapter Three I shall discuss the different divisions within the Burmese Sangha in detail. In brief, the two main divisions of the Sangha are the two ordination lineages, the Thudhammā, which essentially includes most of the traditions that existed in the 18th century and the Shwegyin tradition, which was permitted to exist as a separate, independent lineage under King Mindon (1808-1878) in the 19th century. As Mendelson has pointed out, while these traditions are exclusive in terms of ordination, monks often cross over from one division to the other in their studies (Mendelson 1975: Chapter 1). Shin Ukkaṭṭha did just that, learning from both Thudhammā monks and Shwegyin monks. His own ordination lineage was Thudhammā and most of the monasteries at which he lived and studied likewise belonged to the Thudhammā *gaing*. The exceptions were the two Visuddhārāma monasteries where he studied as a novice in Mandalay, which both belonged to the Shwegyin *gaing*. Following the completion of his studies at Shweyesaung Monastery, Shin Ukkaṭṭha felt confident and competent and satisfied with his knowledge of canonical texts.

At that point he received an invitation from one of his friends, U Vicitta, who had studied with him in Mahāvithuddhāyon Taikthit in Mandalay. U Vicitta was teaching monks and novices in Kyakhatwai monastery in Pego, Pego Division, and requested that Shin Ukkaṭṭha come and join him in teaching at the monastery. He accepted and moved to Kyakhatwai monastery in 1918.

It was while teaching at Kyakhatwai monastery that he met a monk who would have a profound impact on his future. U Pāmokkha had just come back from Sri Lanka where he had stayed for 15 years. Like Burma, Sri Lanka (at that point Ceylon) was at that time part of the British Empire. As well as being part of the English-speaking world, it was also within the region in which Buddhist monks could travel with relative ease. It had become part of the British empire earlier than Burma, right at the beginning of the 19th century, with the British takeover being completed with the

capture of Kandy in 1815. Furthermore, all the coastal region of Sri Lanka had been subject to European powers since the Portuguese period in the very early 16th century. Buddhists in the coastal, lowland regions of Sri Lanka had therefore been exposed to European thinking from a much earlier time. The lowland *nikāya*, namely the Amarapura and *Rāmañña Nikāyas*, founded in the early and mid-19th century respectively, while both of Burmese origin, were very much open to international learning and debates. This was due to the internal dynamics within the Sri Lankan Sangha at the time (Crosby 2013: 109). While monks in the longer-established Siyam Nikāya of the Sri Lankan interior could rely on the revenue from long-established temple lands, lowland monks had to rely on their relationship with lay people. Although both lowland *nikāya* had sought Burmese ordination and textual expertise, and might therefore be expected to be more conservative, their reliance on lay people and the necessity of competing with Christian missionaries, led to an active engagement with European learning and non-Buddhist ideas. This progressive approach among the Burma-derived *nikāya* in Sri Lanka was in contrast to the conservative response in Burma, which had largely rejected western learning and education (Turner 2014). Whereas most of the Burmese Sangha avoided the study of English and western subjects, as Shin Ukkatṭha's education until this point reflects, U Pāmokkha had learned English. He began teaching it to Shin Ukkatṭha. It is possible that he also discussed other ideas current in Sri Lanka at the time, for we shall see that Shin Ukkatṭha would soon set about broadening his education beyond Burma.

Frustratingly for Shin Ukkatṭha, U Pāmokkha soon disrobed. Still eager to learn English, Shin Ukkatṭha then inquired where he should go and study English. Burmese lay supporters as well as senior monks disliked monks learning English, claiming that monks who learnt English were almost 'committing a *pārājika* offence'. It was feared that monks who had a good facility in English would, like U Pāmokkha, disrobe since it was helpful in a career in the colonial administration, working, for example, as clerks. It was believed that 99% of monks who were good at English disrobed at that time (Ukkatṭha 1961: chap.2 pp.6-7). The fear was that if a monk studied English, he might disrobe because of the better career prospects he would enjoy after learning English. Another fear was that it would erode the *sāsanā*, the dispensation of the Buddha, that the influence of secular subjects such as English would be detrimental to monks' faith in the Buddha's teachings and that their

understanding of enlightenment might be undermined by reading alternative theories written in English by secular scholars (Janakābhivaṃsa 1979: 64-65). Shin Ukkatṭha therefore found it difficult to continue his English studies.

Alicia Turner has written about this attitude towards English during the colonial period and how the drive to protect the *sāsana* combined with other factors to divide Burmese education between the secular and the monastic. The monks become more conservative and text-oriented, a trend which had started under the 18th century *Thudhammā* reforms. She notes that while initially some monks accepted and complied with the move by colonial government authorities to involve monks in the secular education system, this was increasingly resisted (Turner 2014). Thus Ukkatṭha's interest in English, which would broaden out into an interest in a wider range of subjects, went against the prevailing mood of the time. A continuation of this attitude to English, and any other language not Burmese or Pali, could still be seen after independence, during the latter part of Shin Ukkatṭha's lifetime. In 1965 the Hmawbi Sangha Meeting, which we shall discuss in the next chapter, took place (Maung Maung 1984: 216). At this meeting, Ashin Janakābhivaṃsa, the Amarapura *mahāgandhāyon* Sayadaw, proposed to include English, Sanskrit and Hindi in the monastic educational system (Janakābhivaṃsa 1979b: 293, 473). However, he was not successful. The impact of colonial rule still affected monastic life. Most of monks and devotees were seemingly too conservative to allow this change. They regarded English language as *tiracchānavijjā*, which literally means 'the knowledge of animals'. This term occurs in the Canon and was used in the early modern to modern periods in Southeast Asia to denigrate particular subjects.⁵⁷

During this period, Shin Ukkatṭha was very busy. As well as his teaching duties, he preached *dhamma* talks to the public, and wrote many articles for magazines, newspapers and journals. As was common at the time, he used pen names.

⁵⁷ *Tiracchānavijjā* really means that knowledge which prevents one from attaining a good rebirth and Nibbāna. Such knowledge can include as military occupations: elephant rider, horse rider, one who uses a bow and arrow, or a sword and spear, for example. Some monks even hold the concept that all subjects other than Pali language are *tiracchānavijjā*. Janakābhivaṃsa, disappointed about the lack of development in Sangha education because of this conservatism, argued that if all subjects except Pali are *tiracchānavijjā*, so is Burmese. In fact, *tiracchānavijjā* does not refer to languages, but the education which suppresses others and blocks the path leading to a good rebirth and *nibbāna* (Janakābhivaṃsa 2002: 463-465).

His pen names were Maung Mettā, Bo Mettā and Maung Aung San (Maung Ze Yar 2015: 361). He was well known to the public for his talent and eloquence. Despite his full schedule and despite the prevailing attitude towards monks studying English, Shin Ukkatṭha continued with his pursuit of English by studying it in Yangon and Mawlamyaing during the holidays. Eventually it was his keenness to learn English and the obstacles to doing so in Burma that sent him to India.

Passage to India

Shin Ukkatṭha left Yangon via Pansodan Dock by ship for India at 1pm on the 18th November 1922. Traveling alone, he arrived in Calcutta, India on 10am the 21st November 1922. On the same day he went to Mahābodhisālā, or The Mahabodhi Society, the headquarters of which had been established in Calcutta exactly 40 years earlier by Anāgārika Dharmapāla of Sri Lanka. It acted as a meeting place for Buddhists and those interested in Buddhism from all over the world. The period was seeing not only the revival of the Buddhist sites in India, but a growing awareness of Buddhism as an international religion of Indian origins. Local Indian interest in Buddhism, including convert Buddhism, was also emerging at this time. Interest in Buddhism overlapped with other interests at this time, such as theosophy and communism, both of which would influence Shin Ukkatṭha.

Shin Ukkatṭha was able to stay at the Mahabodhi Society in Calcutta. He was supported financially by his devotees from around Burma, especially Daw Nyein from Pegu and Daw Mya from Kamase. They had provided him with his travel expenses and now each of them gave him an allowance of Ks (Burmese currency, Kyat) 30 a month. He was thus in regular receipt of Ks 60 a month (Mya Din 1987 : 63-65).

At the Mahābodhi Society that Shin Ukkatṭha met another Burmese monk staying there, the forward-thinking Shin Ādiccābhivaṃsa (1881-1950), who would have a significant role in shaping Shin Ukkatṭha's future. Shin Ādiccavaṃsa was an influential monk, senior to Shin Ukkatṭha. He was also Anglophone. He would go on to spend 10 years in England himself from the late 1920s. Ashin Setṭhila, who spent time in England as a Buddhist missionary during World War II, was one of his students. Shin Ādiccābhivaṃsa and Shin Ukkatṭha lived together in India for about 4 years and it is probably under his influence that Shin Ukkatṭha developed a number of his characteristic attributes: his interest in and knowledge of secular learning and other

religious traditions, his combative debating style, his refusal to bow to authority, his willingness to be seen in the limelight and his proclivity to challenge tradition. In order to give an indication of the nature of Shin Ādiccābhivaṃsa's influence of Shin Ukkatṭha, I shall give a brief account of the former.

Ādiccābhivaṃsa twice refused to accept the coveted *Aggamahāpaṇḍita* title (see Chapter Three), because he did not want to be complicit with the colonial authorities. In the 1930s, he would try to re-establish the *bhikkhunī* (full nuns') lineage in Burma. As we will see in the Vinicchaya case of Saccavādī in Chapter Three, the Burmese Sangha hierarchy is adamantly opposed to allowing women the right to full ordination. This was also so earlier in the century. For this reason, Ādiccābhivaṃsa was put on monastic trial in 1935. He was subject to *pakāsanīyakamma*, the same act of disapproval to which Devadatta had been made subject, but was not made to disrobe. He disrobed of his own accord in 1941.

We can see that Ādiccābhivaṃsa was not afraid of controversy. He once claimed that there were only three monks in Burma capable of explaining the *tipitaka* to the world: he and Shin Ukkatṭha were two of them! He said that he was not sure that Buddhism was the highest truth, and that if he found a higher truth he would accept it in preference to Buddhism. Because of his strong pride, he often had unnecessary fights with Indian people. For example, one evening Shin Ukkatṭha and Shin Ādiccavaṃsa were taking a walk alongside the river Ganga when a seller of betel called them "Hey, hey! Come, come!! You can get here betel, cigars and sweets," raising his hand. When they looked at him, he again called, "Hey, hey, come, come." Shin Ādiccavaṃsa went up to him and slapped him on the face. The seller asked why he had slapped him. Shin Ādiccavaṃsa replied that it was because he was stupid and disrespectful to the Buddhist monks. A crowd gathered and the police came. Shin Ādiccavaṃsa said to the police, "we are Burmese monks. Even the British who rule over Burma treat us respectfully. Explain this to the seller, who is nothing, OK?" Perhaps unexpectedly, given how disproportionate Ādiccavaṃsa's behaviour seems, the police resolved the incident by apologizing to Shin Ādiccavaṃsa on behalf of the seller.

The two monks both stayed at Mahābodhi approximately one and half month before moving to Baranasi where Shin Ukkatṭha learnt English from a teacher with an MA degree. Knowing that Hindi and Sanskrit are essential for understanding the

religions of India he also learnt these from Hindu Pundits. They also began his education in other religions by teaching him a range of brahmanical religious texts. These were Sanskrit texts from the earliest Vedic hymns to a range of Upanishads, and the later but extremely important *Bhagavadgītā*. He studied the following *vedas*: *R̥gveda*, *Yajurveda*, *Athārvaveda*. He studied the following Upanishads: *Chandogya*, *Svetasvatara*, *Kolitaki* [perhaps *Kauśītiki*?], *Bṛhadāraṇyaka*, *Māṇḍukya*, *Aitareya*, *Muṇḍaka* and *Prasna*.

Shin Ādiccavaṃsa encouraged Shin Ukkaṭṭha to engage in many debates while in India. At the end of 1922 (or possibly early 1923)⁵⁸ Shin Ukkaṭṭha and Shin Ādiccavaṃsa attended the Gaya Congress presided over by Rajendra Prasad (1884–1963), who would later become the first President of India after its Independence. This Congress at the important Buddhist site was a response to the imprisonment of Gandhi after a police attack on non-violent protesters had led to violence on the part of the protesters also. The Congress, attended by thousands, debated whether to continue with non-cooperation to engage in more direct action. At the Congress, Ukkaṭṭha and Ādiccavaṃsa made friends with Rajendra Prasad and another prominent person, the enormously influential Indian Buddhist scholar Rāhula Sankrityayana (1893–1963), who was a novice at that time. Both Prasad and Sankrityayana were apparently much impressed by the knowledge Shin Ukkaṭṭha demonstrated through his participation in the Gaya Congress congress. Shin Ukkaṭṭha also discussed the Bodh Gaya site with Rajendra Prasad, suggesting that the site of global historical significance should be under national administration, instead of in the hands of the Hindu Mahants who at that time oversaw the site. Apparently Rajendra Prasad promised Shin Ukkaṭṭha that he would implement this if his Congress Party won after Independence (Mya Din 198?: p.75, p. 92; Maung Ze Yar 2015, p. 141). Bodh Gaya was transferred to government administration in 1953 (Pryor: 2012: 110). Shin Ukkaṭṭha thus was able to claim credit for an event for which Anāgārika Dharmapāla had campaigned through the establishment of the Mahabodhi Society, with a global network of support, for decades (Tevithick 2012: 82).

Shin Ukkaṭṭha and Shin Ādiccavaṃsa spent some time visiting the important sites of Buddhism and other religions together. In addition to Calcutta and Varanasi,

⁵⁸ The Burmese sources have the year as 1923, but Indian sources of the congress have it down as taking place in 1922. I do not know the reason for this discrepancy.

they visited – to follow the order given by Ukkatṭha’s biographers – Lucknow, Gaya, Jetavana, Kusinara, Lumbini, the remains of Nalanda University, Rajagaha, Pataliputra, Sanchi, the sites of the Harrappan Civilisations, Gandhara, Bombay, Amritsar, Panjab, Bengal, Ajanta Caves and some museums (Mya Din 198?: 76). Thus they visited all the important places of the Buddha’s life along with other historically important places. They also visited other Burmese monks living in India. During one such visit, to a village monastery where two Burmese monks were living, Shin Ukkatṭha by chance got involved in a debate about vegetarianism and meat eating.⁵⁹ A Hindu teacher called Maharaj Ji was wandering around the area with his fellow pundits. It is possible that this teacher Maharaj Ji was the same as the famous Hans Ram Singh Rawat (1900-1966).⁶⁰

According to Mya Din (198?: 77), Maharaj Ji was in the habit of arranging debates between his pundits (learned teachers, usually versed in Sanskrit literature, particularly Hindu scriptures) and other pundits, sadhus (holy men) and monks, he himself acting as a judge, and giving a reward to the winners. He invited the resident Burmese monks with whom Shin Ādiccavaṃsa and Shin Ukkatṭha were staying to a debate. These monks did not tell their visitors about it, and went to the debate's venue secretly. Somehow, however, Shin Ādiccavaṃsa found out about the debate. He worried that their hosts were not sufficiently intelligent or learned, and would let the

⁵⁹ I do not know how many Burmese or Arakanese monks were present in India at this time. The names of these monks are not mentioned, nor is it clear if Shin Ukkatṭha or his followers distinguished between Arakanese and Burmese when writing of his life. The Mahabodhi Society distinguished between the two quite clearly (Cox 2015). Two Arakanese novices were sent by the Akyab branch of the Mahābodhi Society to Bodh Gaya after Olcott and Dharmapāla and Olcott’s visits. One of these, Shin Chandra (1876-1972), remained in India and oversaw the mass conversion of Ambedkarite Dalits to Buddhism in 1956 (*ibid.*).

⁶⁰ Hans Ram Singh Rawat later formed the Divine Light Mission, and was at the modernizing end of the religious spectrum at the time, initially involved in the reformist, egalitarian, anticaste religious movement Arya Samaj, which had been founded in 1875. To his followers he was known as Shri Hans Ji Maharaj. At the request of his teacher, he set out on a ten year preaching missioning. He apparently started his journey in 1926, so four years after Shin Ukkatṭha’s arrival but only just before Shin Ādiccavaṃsa's departure, traveling around north and northwest of the Indian subcontinent. I speculate that the episode occurred before this ten year tour commenced or early on in it. (<http://www.himavanti.org/en/c/masters/shri-hans-ji-maharaj-himalaya-master-of-divine-light-mission>, last accessed 7 December 2015).

Buddhist side down. When their horse cart was about to leave for the debate he made Shin Ukkatṭha follow. Shin Ukkatṭha attended the debate merely as an observer, but when Maharaj Ji was about to announce the winners, the two resident monks having been unable to respond to questions raised by the Maharaj Ji's pundits, he stood up and asked to join the debate. He responded to all the questions very well, and to the pundits posed questions of his own, which were met with silence.

One of the questions the pundits raised was, "the Buddha ate meat though he claimed himself to be greatly compassionate and he taught that one should not kill any living beings; did he practise what he preached?" Shin Ukkatṭha responded by explaining about the Ten Kinds and the Three Kinds of meat a monk must not eat, this referring to two different ways of categorising prohibited meat, found in the *Vinaya Piṭaka*, the rules that govern the lives of monks. The first is a set of ten prohibited meats are given in the Medicine Section, the *Bhesajjakkhanda*, of the Pali *vinaya* and are as follows: human being, elephant, horse, dog, snake, lion, tiger, panther, bear, hyena (Kong 2015: p.194, citing Vin. IV. pp. 216-220). As Man Shik Kong has shown, this set of prohibitions has nothing to do with compassion but is drawn from a range of interesting considerations: whether eating meat such as that of elephants and horses would affect the military strength of the country; the combination of fear and reverence Indian religious culture had for snakes; and whether animals of prey might take revenge on forest monks (Kong 2015: p.195ff.). The second set of prohibitions refers to three ways in which meat or fish must be pure, for monks to be able to eat it: monks must have not seen, heard or suspected that the meat was prepared (i.e. slaughtered) for them (Kong 2015: 203). In other words, they must not be responsible for the death of animals. However, as Shin Ukkatṭha explained, they also have a duty to avoid being a burden on lay people, so they accept whatever food is given to them.

Shin Ukkatṭha moved on to another *vinaya* rule, explaining that the Buddha did not allow monks to cut trees and grass because Jainism believes these have souls. As Schmithausen has explored, early Buddhism did not share Jainism's view on plant life being sentient or containing *jīva* or souls, yet sometimes had similar rules (Schmithausen 1991a and 1991b). Shin Ukkatṭha then challenged the pundits with questions about their discriminatory caste system and their sacrificial rites, both of which were rejected by the Buddha, and about the encouragement of war, a form of violence that the Buddha said would lead to hell, found in the Hindu sacred text, the

Bhagavadgītā. The pundits had claimed the higher ground through their being compassionate and free from cruelty, presumably on the basis of their caste vegetarianism, though this is more an issue of purity than one of compassion. To Shin Ukkatṭha's questions, they made no response. Now, the criticisms of Hinduism made by Shin Ukkatṭha, were the very things that had set Maharaj Ji on his spiritual path and coincided with the views of reformist groups within Hinduism such as the Arya Samāj, to which he still belonged. At the end of the debate, whether due entirely to his skill, or perhaps because they shared views, Maharaj Ji declared Shin Ukkatṭha the winner (Mya Din 198?: 76-86).

Interestingly, while on this occasion Shin Ukkatṭha took the orthodox, canonical view on meat eating as being acceptable for monks and lay people within Theravada, it is possible that he was eventually won over by the vegetarian ethos prevalent among many Hindus such as those with whom he had debated. Later on, as we shall see below, once he was back in Burma, he would advocate vegetarianism for both monks and the laity.

Another competition that Shin Ādiccavaṃsa pushed Shin Ukkatṭha to take part in was a national Sanskrit poem competition held annually at the prestigious Sanskrit University in Varanasi. It had been opened in 1791 and still provides advanced education and competitions in Sanskrit.⁶¹ Sanskrit poetry uses the same metres as the Pali poetry that Shin Ukkatṭha had studied in Burma. (Warder 1967: 2-3). We also know that Shin Ukkatṭha had been studying Sanskrit while in India. He now spent a week studying intensively with a Hindu pundit. Despite competing against native scholars whose study of Sanskrit had occupied their whole childhood, he won first prize in the competition. From this point on, with Shin Ādiccavaṃsa's encouragement, he attended many conferences and seminars, began writing newspaper articles in English and Hindi, and preached *dhamma* talks. He gave a paper at the Mahabodhi Society in 1928. Its title was 'Buddhism is not a branch of Hinduism'. It should be remembered that the identities of the various religions of the subcontinent were still in the process of being defined, and that Buddhism's relationship to Hinduism was the subject of debate in relation to a range of issues such as caste, conversion and sacred sites. For those Hindus who were aware of the Buddha, he was included in the Hindu fold as an incarnation of Viṣṇu. The inclusive,

⁶¹ <http://www.varanasi.org.in/sampurnanand-sanskrit-university> last accessed 7 December 2015.

early European definition of Hinduism as simply ‘the religion of people living beyond the Indus’, i.e. throughout the subcontinent, referred to religions that originated in India. Those religions, such as Jainism, Sikhism and Buddhism, which started in India but did not accept the validity of the Vedas did not identify themselves within the Hindu fold. For converts, such ex-untouchables, who were seeking a non-caste Indian religion to follow, Buddhism’s separate identity was important. This separate identity was also important the Mahabodhi Society, which campaigned to have Buddhist sites placed under Buddhist stewardship. It also became important in marking out Burma as a separate entity, in part by emphasising the significant role in preserving Buddhism after its demise in India. This was in part a response to the way in which Burma was seen as an extension of India under colonial administration as well as the position of Burmese below other colonial subjects in their own country.⁶² Thus Shin Ukkatṭha’s talk reflected the emerging Buddhist national identity in Burma as well as of the continued development of an international network of Buddhists centred on India, especially under the auspices of the Mahabodhi Society.

Shin Ādiccavaṃsa and Shin Ukkatṭha stayed together in Varanasi for four years, until 1926, when Shin Ādiccavaṃsa left for England. Soon after that, Shin Ukkatṭha moved to Lucknow where he studied the Bible under the instruction of an Indian-born English woman and the Koran (along with Arabic, Bengali, and Urdu) under the instruction of a *mawlawi*, an Islamic teacher. While in Lucknow he gave *dhamma* talks at a Bengali Buddhist monastery every Sunday from 6pm to 8pm, and claimed to have converted 30 Muslim and Hindu Bengalis to Buddhism. The increasing interest in Buddhism within India had seen Pali Studies established at Calcutta University, the first western-style university in Asia, at the beginning of the century. The period also saw a reformation of Buddhism in the part of Bengal that would later become Bangladesh, with a strong input of Burmese monks into this reform. Shin Ukkatṭha translated *Dhammapada* into Urdu and had 3,000 copies of it printed (Ukkatṭha 1961: 7).⁶³

⁶² In colonial Burma, Indians were employed in many capacities from governmental administrators to police to labourers, leaving Burmese as the lowest ranking citizens, below the Europeans, Chinese and Indians. On Rangoon during this period, including the ethnic make-up, see Charney 2009: Chapter 2.

⁶³ Unfortunately I have not yet found a copy of this text.

Shin Ukkatṭha's Muslim classmates were apparently much impressed by his contributions to discussions and his ability to recite the Koran. As a result of his Bible studies in Lucknow, with a Methodist called Mrs Luther Carr, he acquired a nickname. One day, during a discussion of the Christian Bible taking place in her house, Shin Ukkatṭha challenged the ministers with questions and allegedly claimed that if God cannot control Satan, then Satan had power over God. In their frustration, they dubbed him 'Satan of the Bible', an appellation of which he was clearly fond for, once he was back in Burma, he employed its initials in one of his pen names, S.B. Ukkatṭha (Mya Din 1987: 96-99). In making this point, it is possible that Shin Ukkatṭha had in mind the core argument that won Buddhists the 1873 Panadura debate against Christians in Sri Lanka, which also revolved around God's autonomy (Peebles 1878).

In 1928 Shin Ukkatṭha moved to the Punjab, to the city of Amritsar, the most sacred city of Sikhs. There he stayed for 18 months in a house provided by an Indian medical doctor. In return, Shin Ukkatṭha taught him the teachings of the Buddha. Another doctor, who was a member of the Theosophical Society, also occasionally attended their classes. Sometimes, a class would turn to discussion, which could conclude with a debate (Ukkatṭha 1961: 94). We can see, then, that as well as a broad engagement with other religious groups, Shin Ukkatṭha also had repeated contact with members of the Theosophical Society, both via the Mahabodhi Society and through individuals. This may explain some of the similarities between his teaching of rebirth and that of theosophists, a point we shall return to in the Conclusion when discussing the controversial teaching for which he became famous, the 'die human, born human' teaching.

While in Amritsar, Shin Ukkatṭha continued his Sanskrit studies, reading the Ramayana and Mahabharata, and also expanded his study of languages to include French and Latin. At the same time he also worked on his translations of the *Visuddhimagga*, *Kathāvatthu* in 1928 and *Suttanipāta* in 1929 into Hindi.⁶⁴

The biographies of Shin Ukkatṭha focus on his qualities as a Buddhist monk, so that what we mainly read about in the records of Ukkatṭha's time in India is the expansion of his learning and his work on and defense of Buddhism. We can also detect, in his defense of Buddhism and in his active challenging of holders of other views and faiths, an undercurrent of the nationalism that would come to the fore on

⁶⁴ I have not managed to track down these publications.

his return to Burma. His particular approach to challenging colonialism must have been shaped by his experiences of India, which was undergoing significant developments during the 1920s. Shin Ukkattha went to Calcutta in 1922, just a year one of the most famous nationalist monks of Burma, U Ottama, had been arrested for making an anticolonial speech.

U Ottoma's international career had started with the same journey to Calcutta. After his return he gave speeches around Burma, including at the YMBA in Yangon, during the period of Shin Ukkattha's own stay there. U Ottama was friendly with Gandhi and was inspired by him. When Shin Ukkattha had arrived in India in 1922, it was just three years after the Jallianwala Bagh massacre in Amritsar in which Gurkha troops of the colonial government opened fire on an unarmed crowd during a Sikh religious festival, killing at least 379 and possibly as many as 1000 people. Prior to the massacre, tensions had been running high and, in response to unrest, especially in the Punjab, martial law had been declared. The unrest had been caused by the suspension of civil liberties under the Rowlatt Act of 1919, an expression of British anxiety about sedition. The atrocity was a catalyst for the independence movement. One immediate and significant response to the massacre was the non-cooperation movement led by Mahatma Gandhi. The event also led to responses from poets and writers such as Rabindranath Tagore. People were inspired to contest all kinds of iniquity and inequality, not just that of British rule, but also issues within Indian culture such as caste and women's rights. Various approaches to non-cooperation developed, from non-violence to boycotting to violent struggle. Religion and politics were completely intertwined, with thinkers on independence seeking inspiration from the same religious literature that Shin Ukkattha was reading. The period of his stay in India also coincided with the rise of the Indian Marxist Communist movement. This movement may have informed the leftist leanings (whether Communist or socialist, see below) he developed later in his response to colonialism and out of concern for the poverty among the Burmese. Small communist groups formed throughout India, all banned by the British authorities. The themes in which India was immersed in the very places where Shin Ukkattha stayed, especially in Amritsar, would find expression through Shin Ukkattha in Burma. He decided to return home and contribute to addressing the oppression of the Burmese. Initially he sought to do this through education. In turn

this would lead to his involvement in political unrest and association with (though not directly involvement in) violent protest.

In anticipation of his plans to promote education in India, Shin Ukkatṭha had taken an interest in the spread of modern secular education during his sojourn in India, alongside his religious and linguistic studies. During the colonial period, many high schools, colleges and universities had been founded in India, frequently by Christian Missions. While Shin Ukkatṭha was there, he learnt the systems of organisation, administration and teaching techniques used in the most prestigious of such institutions in the towns and cities where he stayed. Among those he visited were Saint Xavier's College in Bombay, Saint John's College in Lucknow, Punjab University, Varanasi Sanskrit University, Shantiniketan College, and Calcutta University.

After seven years in India, Shin Ukkatṭha had spent, in addition to the time visiting the religious sites and various other sites, two months in Calcutta, just over three years in Varanasi, two years in Lucknow and 18 months in Amritsar. He left Amritsar on 28th April 1929 and arrived in Varanasi on the 29th. He resumed his journey on the 30th and arrived at the Mahabodhi Society in Calcutta on 1st April 1929, seven years after he had first arrived there. While there he presented two papers, the '*Dhammacakkapavattana Sutta* and *Anattalakkhaṇa Sutta*' and 'A Comparison of Buddhism and Hindu-Brahmanism', again reflecting the era's growing interest in Pali texts and in defining Buddhism in contrast to Hinduism. He left Calcutta by ship on 12th May 1929, and arrived back in Yangon three days later. After three weeks in Yangon, he left on 5th June and arrived in his home, Taungdwingyi on 6th June 1929.

In Taungdwingyi, he first stayed at Yadanāpinsi, the monastery where, aged 10, he had been ordained as a novice. There he frequently preached public *dhamma* talks. Within a short period he outshone the *dhammakathika* (*dhamma* preachers) who were then famous in the area. One of Shin Ukkatṭha's ambitions after returning from India was to establish a school which would combine the provision of modern education and the promotion of the *sāsana*, the Buddhist religion. He saw both of these as contributing to Burma's achieving independence and its going on to flourish. In 1930 he moved to the Thayettaw: Monastery in Myothit, where he had spent his first year after ordination. It was here that he established his first school. He gave the monks and novices both monastic education and secular education, and laypeople just

secular education. Thus, he offers a counter example to Turner's account of the Sangha as conservative and rejecting of secularization. In contrast, Shin Ukkattha engaged enthusiastically with the provision of both secular and Buddhist education to Burmese. During this time, he wrote many articles, still continuing with one of his earlier pen names 'Bo Mettā', but also using his now more recognisable names, 'U Ukkattha' and 'S.B. Ukkattha', the latter incorporating his nickname 'Satan of the Bible' into his anticolonial, pro-Buddhist identity.

At that time, most Burmese children were too poor to attend colleges and universities. Since relatively early in the British administration of Burma, the colonial authorities had in fact sought to take advantage of the Burmese Buddhist tradition of monastic education as the main means for the provision of literacy, even among the rural poor, by promoting the involvement of monks in not just religious but also secular education. However, many monasteries were resistant to these attempts and overall attempts to provide universal, secular education through monasteries had failed (Turner 2014). The conversion of some Burmese to Christianity and Islam, because of the modern education provided by school run by both traditions, and also because of the better economic prospects that Christian and Muslim communities enjoyed, led to the setting up of Buddhist educational institutions. These aimed to provide both the Buddhist moral guidance of a traditional Buddhist education but also the secular, modern education that would be necessary to lift the Burmese out of poverty and oppression. While many of the educational institutions set up by this response were lay organisations, some, such as Shin Ukkattha's, were led by monastics.

From that perspective, Shin Ukkattha was complying with the colonial vision of an expansion of the traditional monastic role in education to providing a broader secular education for Burmese lay people. By doing so, he was in conflict with the conservative Sangha hierarchy. The colonial authorities saw teacher-monks as possible agents for the "civilizing mission" of Western education in order to make good colonial subjects (Turner 2014: 53ff.). The problem with resisting this project was that it left the Burmese as fourth class citizens in their own country. Such rejection of engagement in secular education would also marginalize monks from their position at the heart of the community, where they traditionally provided literacy for all boys and some girls. Shin Ukkattha's interest in the uplift of Burma's poor therefore placed

him in the reformist camp. One of the reasons for the reluctance of the Sangha hierarchy and of many monks to engage in secular education was it entailed working in close proximity with lay people, including women, and thus risked putting monks in the way of temptation and exposed them to the risk of false accusations. It may have been as a result of his working towards establishing a school that Shin Ukkatṭha suffered from this very thing, for it was during this period, in 1931, while living at Thayettaw monastery in Myothit, that Shin Ukkatṭha was accused of sexual misconduct, the first *pārājika* offence, as detailed in Chapter One.

A year after he had established the school in Thayettaw: Monastery in Myothit in 1930, he moved the school to Yadanā Pinsī Monastery in Taungdwingyi where he had studied during his novicehood. His school continued to flourish, in spite of the accusation. Due to the increasing number of students – within a year he had over 100 – he moved to another location in Taungdwingyi, where he established his own monastery and set up a formal school. This was Okkata's Buddha Mission School (OBM School), established in 1932. Okkata is how he transliterated his own name – whereas I have followed the now standard transliteration for Pali in rendering it as Ukkatṭha. The new school in Taungdwingyi provided free education for both lay people and monastics.

As Turner (2014) has documented, there was funding from the colonial government and support for monastics to provide secular education. According to Shin Ukkatṭha's biographer Mya Din, the British used the technique of '3 Ms' when colonising other countries: Merchant, Military and Mission (Mya Din 198?: 159). Shin Ukkatṭha challenged that situation, including the phrase "Buddhist Mission" in his school. This harked back to the establishment of specifically Buddhist schools that had begun under the auspices of Buddhist Theosophical Society in Sri Lanka at the end of the 19th century, to counter the effect of Christian missionary schools. He did not seek to set the school up under an existing organization, although some of his donors were also active in organisations dedicated to the protection and promulgation of Buddhism of the kind described by Turner (2014). Rather he drew on support of private donations and kept his school independent, seeking and achieving government recognition for it, in 1940, eight years later. According to Maung Ze Yar (2015: 113-114), Shin Ukkatṭha issued a leaflet requesting donations towards the establishment of the OBM, under the title 'An Appeal to the *Anāthapiṇḍikas* and

Visākhās of Burma.' This title refers to two famous episodes of lay generosity to the Sangha in the Pali canon, one involving a male donor, and one a female donor. Anāthapiṇḍika was the donor of Jetavana monastery (*Zetawunkyaung*) and Visākhā was the donor of Pubbārāma monastery (*pokbāyonkyauṅ*) in Sāvatti, both in Buddha's lifetime. By drawing on the ideals of lay generosity to the Sangha to inspire both men and women to support his school, Shin Ukkatṭha extended the concept of *dāna*, generous giving, beyond its traditional meaning of providing monks with the necessities of life and religious buildings, to the support of a school that would provide secular education. Among the wealthy Burmese men who contributed in response to this appeal were Sir U Thwin. Sir U Thwin would later become the first president of the Sāsana Nuggaha Organization, founded in 1947. After Independence, he would also become instrumental in the transformation of the Mahasi Vipassana meditation tradition into a global transmission, when he donated five acres of land in Yangon for the establishment of a meditation centre. In 1949, he and U Nu (Prime minister at that time) requested U Sobhana, the *Mahasi Sayadaw* living at Mahasi monastery in Seitkhun village, Shwebo, Sagaing Division, come to Yangon and teach meditation.⁶⁵ Other donors to Shin Ukkatṭha's school fund were Sun Oo Nyunt, Hintada U Mya and U Sunny, the last being a well known owner of a movie company. Two women provided the land for the OBM, Daw Phwa and her daughter Ma Saw Yin, of Taungdwingyi. The financial support for the school building was offered by a married couple, the lawyer, U Maung Gyi, and his wife Daw Mya Ywet, also of Taungdwingyi.

There is a foundation myth about the sanctity of the site the school was built on. Not only was it an earlier religious site, but at the time of its opening it was a site of nationalistic significance. It was reported to have once been the site of a monastery known as *Kye:nīkyauṅ*: which had been established during the reign of King Bodawhpaya (1745-1819). According to Mya Din (198?: 159) and Kyaw Myaing (<http://weizzarlan.blogspot.co.uk/2009/07/bo-bo-aung-weizzar-with-white-robe.html>), Bo Bo Aung (Pathaman Bo Bo Aung), one of the most famous *weitzā* in Burmese history lived at the monastery as a temple boy and a novice. The term *weitzā*,

⁶⁵ The Mahasi Sayadaw came to the centre and taught meditation; later the centre became the headquarters of the Mahasi meditation centre. It is now an area of twenty acres with a number of buildings, and has become globally famous, with thousands of branches spread worldwide (<http://www.mahasi.org.mm/content/mahasi-sayadaws-biography>).

more fully *weitzā-do* is sometimes translated into English as ‘wizard.’ It literally means a practitioner or ‘bearer’ (*do*) of *weitzā* ‘knowledge, science or magic’, Pali *vijjā-dhara*. It refers to Burmese Buddhist practitioners who follow the esoteric *weitzā-lam*, path of knowledge/magic, who are thereby thought to have the ability to practise alchemy, supernatural powers, and to be able to extend their natural lifespan. This is so that they might defend Buddhism and be present for one of two great eschatological events, either the final sermon of Gotama Buddha’s relics or the coming of the future Maitreya Buddha. Some *weitzā-do* were and are associated with military power and the struggle for independence; Bo Bo Aung is the most famous of these. As explained by Patrick Pranke, “Bo Bo Aung is portrayed as a white-clad turbaned layman who leads a righteous army in the service of a *cakkavatti* king named Setkya-min. Setkya-min has as his task the defeat of evil and the ushering in of a Golden Age in preparation for the immanent advent of Metteya Buddha...Beginning in the nineteenth century, the Setkya-min myth inspired numerous pretenders to the throne to launch millenarian uprisings, first against the Burmese crown, and then against the British colonial government; the last and most famous of these being the Saya San rebellion of 1930-31.” (Pranke 2014: p.12). Saya San was an ex-monk who led one of the most significant rebellions against the British, his claims to being Setkya-min being believed by the many monks who coordinated the revolt (Scott 2013: p.58, Aung-Thwin 2010, Solomon 1969).⁶⁶ This took place in the two years immediately preceding the opening of the OBM school. According to legend, the site was where Bo Bo Aung gained his magical powers: when he was a novice at the monastery there, the abbot passed away; on the abbot's pillow the young Bo Bo Aung found a copper plate *parabaik* (manuscript); by practising the magic written on the *parabaik* he became a *weitzā*.

In providing a school offering secular education, Shin Ukkatṭha was going against the anti-secularist trend within the Sangha and taking on a role usually left to lay people. His defense of this position can be seen in the motto of OBM: 'The Service of the Poor is the Service of the Buddha' (Mya Din 198?: 159). He recruited children and young adults, lay people, monks and novices, as students and offered religious and secular education from primary level to 7th standard (until 1931) and to

⁶⁶ For an assessment of the scholarship on Saya San see Aung-Thwin 2010: pp.167ff. See also Aung-Thwin 1979 for how the attempted rebellion was based on models of Burmese kingship that applied before the British.

10th standard (from 1932). In other words Shin Ukkatṭha was providing the entire curriculum, enabling children, temple boys and novices to start school there at the age of five and end up qualified for university.⁶⁷ Shin Ukkatṭha started to run the OBM with ten of the monks who lived at his monastery dedicated to teaching at the school alongside him. Three of them took responsibility for *piṭaka* teachings and the other seven monks including himself took responsibility for the teaching of languages and relevant secular subjects.

The OBM's aims and objectives prioritised Buddhist learning by placing it first, but also make the significance of secular learning in the intended curriculum clear:

- 1) “to teach Pali canonical texts systematically in order to promote the *pariyatti sāsana*, the root of *Buddhasāsana*.” *Pariyatti* is the study of Pali canonical and commentarial literature, emphasised during this period for both monastics and lay people as a way of defending the Buddhist religion, the *sāsana*, that was believed to be at threat from the British.
- 2) “to uplift the morale and morals of children in order to develop the national and religious spirit.” Again, while this advocates morality, just as one might expect of a school founded by a monk, the morality of children was at the time seen as a primary concern for the national wellbeing (Turner 2014). The agenda here is both implicitly and explicitly nationalistic.
- 3) “to teach other languages, i.e. English, Urdu and Sanskrit, including *nāgarī* script, in order for the novices and monks to carry out effective missionary work and establish modern schools like the OBM.” In some ways the inclusion of these topics harks back to the ongoing significance of Sanskritic learning in the Konbaung period, but it also reflects the position of Burma as part of India,

⁶⁷ The Burmese Education System is organized as follows:

Primary School (Kindergarten> 1st Standard> 2nd Standard> 3rd Standard> 4th Standard)

Middle School (5th Standard to 8th Standard)

High School (9th Standard to 10th Standard)

Altogether 11 years at school, then:

University (arts) (BA 4yrs)

Children can start school from the age of five. The 10th Standard is the last year of school. Those who pass 10th Standard can enrol at University. Depending on their results in the 10th Standard final exam, they can apply to various universities, such as the University of Arts and Science or the Institute of Medicine or Technology.

according to the colonial administration, as well as the revival of Buddhism as a religion of conversion in India at the time.

4) to provide modern education to the poor (Mya Din 198?: 154-155).

The OBM School as a Basis of Nationalist Activities

As the OBM was a national school, providing the full secular curriculum alongside Buddhist subjects, the students, with the exception of the monks and novices, were allowed to undertake the military-style exercise drill typically taught in schools at that time. This was done under the guidance of Shin Ukkatṭha's deputy, the monk Ashin Javana, who thought the drill should be practised at OBM just as it was at government schools, twice a week. Later, the drill was professionally guided by an ex-soldier, U Lay Maung, who had once been a captain in the Burma Rifles. The Burma Rifles was a regiment under British control, part of the colonial British India Army. The successor to the Burma Pioneers, it was founded in 1917, toward the end of the first World War, with a second battalion raised a year later. From 1918 to 1920, both battalions served in the Middle East, fighting the Ottomans. This ties in with Mya Din's account that during WWI U Lay Maung saw active service on the frontier of Mesopotamia (a region which encompassed much of what would become modern day Iraq, Syria and Kuwait). U Lay Maung asked Ashin Javana to call the senior students who practised the drill the "Burmese Defense Force." All lay students over 16 were asked to join it (Mya Din 198?:178, 304). Thus, the importance of protecting the country and promoting the creation of the nation was inculcated in these students. We can see just how much Shin Ukkatṭha was joining in the flow gathering momentum in Burma, that was striving towards independence.

Shin Ukkatṭha composed a song for this new 'force' to motivate in its members a nationalistic spirit and to inspire the quest for independence. It was through this force that the school became involved in violent protests, such as a brawl with government officials at the OBM. The occasion was an entertainment show celebrating National Day on the 17th anniversary of the first university student strike of 1920.⁶⁸ The district president, the town mayor and the inspector of police attended

⁶⁸ Until 1920 Yangon University had been affiliated with the Calcutta University in India, but it was proposed that from 1920 the Yangon University should be independent. This would cause difficulties for students in the top grades and it was felt that the new University Act of 1920 would form an

the entertainment with a police guard. The three men climbed up onto the stage and asked the female dancers to dance with them. Being very afraid of them, the entertainers tried to decline politely, apologizing for not doing so, but the men persisted, obliging the dancers to dance with them. Ashin Javana had realized something was up from the noise made by the spectators watching the entertainment, when a monk came to tell him about the situation. He went up onto the stage and requested that the entertainment be allowed to continue undisturbed. When the officials refused, Ashin Javana was furious. He beat the inspector with a slipper, kicked the district president and pushed the town mayor down to ground. Members of the audience joined the fracas in support of Ashin Javana, but the police guards pointed their guns at the riotous people and fired shots into the sky, allowing the officials and police to escape the entertainment and flee by car (Mya Din 1987: 287-289). As presented, this story illustrates the perception of the time that those in power were decadent and that Buddhists were having to struggle to maintain traditional values.

In theory, in Burmese monastic culture, no violence is allowed. However, historically even street fights between rival monastic factions have been known. Moreover, violence is in fact present on a day to day basis in monasteries in the form of corporal punishment. In addition to the disciplinary rules and regulations of the *vinaya*, every monastery has its own rules and punishments. If young novices and students break light rules (eg running away from class and fighting each other) then, in addition to such non-violent punishments such as cleaning the monastery, they may also be beaten by the abbot or a senior monk. Ashin Javana's behaviour was thus an extension of this kind of discipline.⁶⁹

obstacle that might prevent these students from continuing to further studies. On 5th December 1920, the students of Yangon University embarked upon a strike, in protest against the new rules. At this time the power of the imperial government was respected and unquestioned, so that the strike was a notable success in the resistance to imperialism. At the 9th GCBA conference in 1921, the concept of a National Day was proposed. For the date, suggestions included the day of U Ottama's imprisonment (see above), that of King Thipaw's deportation, and that of the first student strike. The day eventually agreed upon was the date of the students' strike, the 10th waning of Tazaungmon (November), in the Burmese calendar (Sein Tin 2011: 54, Charney 2009: 34-35, *The New Light of Myanmar*, Monday 29 November 2010 p7, <http://www.m-mediagroup.com/news/20894>).

⁶⁹ While to this day adult monks may be expelled from a monastery if they break rules such as dealing with political affairs or business affairs, fighting each other seriously, and engaging in a riot outside the monastery, it depends on the monasteries. Some abbots silently or explicitly support the monks,

The school also became involved in conflict between Buddhists and Muslims in Taungdwingyi. In 1938 there was nation-wide industrial action (*htaung.thon:yāpyi aye:dawpon*). When the British Indian imperial police tried to disperse a rioting crowd in Yangon, one of the student leaders, Bo Aung Kyaw, was killed. Industrial action then became widespread across Burma. At the same time, there was rioting between Burmese and Muslims, widely resented as a population imported as part of the colonial apparatus (*Kalā: Bamā aye:akhin*; ‘the disturbance between Burmese and Muslims’). According to Mya Din (198?: 294), this rioting was instigated by the British by distributing religious pamphlets critical of Buddhism, written around 1930 by Mawlawi Shwe Phi from Shwebo, Upper Burma. They did this as a diversionary tactic to distract people from the industrial action. The riots spread across much of the nation (Maung Maung 1969: 113). At first Taungdwingyi remained calm. The calm was shattered in December 1939 by two students from the OBM School. They threw a homemade grenade into the shop of a Muslim family and, after dark, another one into a crowd celebrating Christmas. The grenades were of the kind that creates a loud sound without causing injury, but the sound set off a rumor that there was fighting between Muslim and Burmese. The situation quickly escalated. Burmese people invaded Muslim houses, shops and mosques, destroying property, and the Muslims fought back against the Burmese.

In the way these episodes are reported, the involvement of the students is presented as relatively innocent and innocuous – coming to the defense of their teacher when provoked by the unruly behaviour of some officials; a prank during a period of festivities that goes wrong. However, this picture is belied by an ever-increasing significance of the school within the independence movement.

For several years prior to these events the school had been receiving visits from some of the nationalists who were coming to prominence in the escalating actions against the British, such as General Aung San (1915-1947) and Galon U Saw (1900-1948), as though it were a rebellion camp rather than a monastic school. General Aung San founded the Burmese *Tatmadaw* (armed forces) during British rule. As noted above there was a longstanding connection between Aung San’s family and that of Shin Ukkattha. Aung San’s native town, Natmauk, is next to Taungdwingyi,

novices and students participating in political events and riots, especially conflict between Muslims and Buddhists.

Magway division. During this period he frequently met Shin Ukkatṭha, and visited the OBM to discuss politics, literature and religion. General Aung San founded the Union of Students in Shin Ukkatṭha's school in 1936 (Mya Din 198?: 292). Galon Saw (later to be Prime minister during 1939-1942 towards the end of the colonial period), visited Shin Ukkatṭha's school with his political teacher, U Ba Pe in 1932, as part of his political campaign. He promised Shin Ukkatṭha that he would help him develop the OBM in all manner of ways if his party won political power in Burma. In 1941, two years after becoming prime minister, he visited Shin Ukkatṭha again as he had promised, but apparently Shin Ukkatṭha did not accept any help from him (Mya Din 198?: 305-308).⁷⁰

Amongst other prominent visitors in the 1930s were U Po Kya (1891-1942) and Dr Ba Maw (1893-1977). U Po Kya, the Superintendent of schools (1920-1942) assessed the educational standards of Shin Ukkatṭha's teaching in 1931 when the school was still in Yadanā pinsī monastery in Taungdwingyi. He was satisfied with the school, and issued a letter of recommendation that confirmed the students were qualified. This entitled Ukkatṭha's students of the Seventh Standard to take their final examinations in Yenangyaung's national high school, where General Aung San had once been a pupil. The national high school of Yenangyaung was a government-recognised school. As a private school, the OBM could run only from Kindergarten to the Seventh Standard. Only the Seventh Standard was examined externally by government agencies: all the other years could be graded internally by each individual school. Dr Ba Maw, was minister of education (1934-1937), premier of Burma (1937-1939) and Head of State (1943-1945). He had obtained his doctorate from the University of Bordeaux, France in 1924. He visited the OBM in 1934 at the start of his series of official appointments, visiting Taungdwingyi in his role as minister of education.

While indirect involvement with nationalism and the independence movement is obvious from some of Shin Ukkatṭha's connections and rhetoric, when he wrote his short autobiography later in life, he emphasised his school's direct involvement in anticolonial activity against the British and the Japanese during this period (Ukkatṭha 1961: 11-12). However, he does not give specifics, so it is hard for us to know to what extent he was seeking, at a point when he could have been feeling

⁷⁰ It was Galon Saw who assassinated Gen. Aung San in 1947, for which he was later hanged in 1948 (Charney 2009: 68-69).

betrayed by his own countrymen challenging his views, to affirm his significance in the independence movement. Alternatively, it may simply have been that, decades after Independence, it now felt safe to discuss past exploits against fallen regimes. In his recent work on Shin Ukkattha, Maung Ze Yar claims that the OBM School was the headquarters for four phases of 'revolution', *tawhlanye*:⁷¹ in Taungdwingyi. The first revolution was against the British, the second revolution was against the Japanese, the third revolution was against the second British period (i.e. that between the defeat of the Japanese and independence) and the fourth revolution was against Fascist-Socialists. This was as part of the Anti-Fascist People's Freedom League (AFPFL) influenced by Socialism (<http://www.myanmarpolitical.com/2013/11/blog-post.html>). However, he does not document the details of such involvement so I do not know if there exists any further material on which he has drawn, or if he is merely interpreting Shin Ukkattha's own claims (Maung Ze Yar 2015: 250). Shin Ukkattha did go so far as to claim that almost all of the revolutionary movements around Taungdwingyi were set up at his OBM School. It became the Revolutionary Headquarters of Taungdwingyi. In addition to the Burmese Defense Force (BDF) mentioned above, he includes the We Burmans Association (WBA, see below) before WWII, and, after WWII, the Anti-Fascist Organisation (AFO) and the Communist Party of Burma (CPB) known as Red Flag Communist Party (RFCP) (Shin Ukkattha 1961: 11-12). I take this to mean that the regional branches of these movements were in some way connected with his school. Most of the leaders of *thakhin* visited his School.⁷² The various governments over the period apparently thought that Shin Ukkattha school was a rebel camp and Shin Ukkattha himself a rebel monk. The activity seems to have continued after Independence since, according to Shin Ukkattha, some of the teachers and adult students apparently joined the 'red-flag-communists' and 'white-flag-

⁷¹ *Tawhlanye*., revolution is to oppose the present subject in order to entail the radical displacement of it by new ones. It might be a political revolution or cultural revolution or economic revolution or even meditational revolution (Houtman 1990: 34, 100). But the revolution here means political revolution, to oppose governments.

⁷² The word '*thakhin*', meaning 'Master', was a title used by those Burmese who were resisting colonial authority: it proclaimed that it was they, and not the British, nor those working for the British, who were the masters of Burma. The use of *thakhin* as a title was started after the *Dobama Asiayon* (We Burmans Association or Our Burma Association) was founded in 1930, replacing other titles which had been in use, such as *Maung* or *Ko* or *U* (Charney 2009: 41, Sein Tin 2011: 67).

communists'. This terminology refers to the split in 1945 of the Burmese Communist Party (BCP) (established 1939) into two factions, the red-flag-communists and white-flag-communists. This split was a response to Browderism, espoused by Earl Brower, the leader of the American Communist Party, which described the moderate way of revolution. Up until 1945 there had only been one communist party, the BCP led by Thakin Than Tun and Thakin Thein Pe (Charney 2009: 73).⁷³

I do not know for sure the exact nature of Shin Ukkatṭha's political leanings, although they are clearly on the left, somewhere within the Socialist-Communist spectrum. His mention of students' involvement and his own statements are very general. We can perhaps see his position more more clearly from the literature that interested him. In 1954, he published a translation of a series of pro-Russian Communist propaganda articles by M. Ilyin (see below). What is significant is that the issue for him remains the uplift of the poor – the main propaganda in the article is that the US is claimed to be suffering from famine at the time (this could be based on the interwar Depression), while Russia has abundant food, and this is seen as the main argument in favour of Communism. Just four years later he attended the World Peace Congress in Sweden run by the World Peace Council. The funding for this appears to have come from the Soviet Union and attendance at it was regarded as evidence of Communist affiliation by the US Congress House Committee on un-American Activities the following year (US Congress 1959: p.1700). Following the Congress, he visited East Block countries: the Soviet Union, China and Vietnam where he met and has his photograph taken with Ho Chi Minh.

Shoe Episodes

As we can see from the above discussion of his engagement with *thakin*, running his school did not preclude Shin Ukkatṭha from engaging in other activities. I shall describe some of the other tasks he undertook during this period below, but first

⁷³ Thakhin Soe, a member of the BCP, accused the party leaders, Thakhin Than Tun and Thakhin Thein Pe, of Browderism, and left the BCP to found a new party, the Communist Party of Burma (CPB), led by himself. Because the CPB was known as the "Red Flags", the BCP was called the "White Flag". Both parties rebelled in 1948. The BCP was rather moderate and based in central Burma, while the CPB, which was rather radical, was based in the delta region, lower Burma. (Charney 2009: 72-74; https://en.wikipedia.org/wiki/Communist_Party_of_Burma, last accessed 13 December 2015); <http://www.myanmarpolitical.com/2013/11/blog-post.html>, last accessed 13 December 2015).

wish to pause and note two episodes concerning shoes, which were a major point of contention in British Burma. While the episodes may not in themselves seem significant, the importance of the topic of shoes in Burmese sectarian history and its anticolonialism means that both events feature in records of Shin Ukkatṭha's life. They also tell us something about Shin Ukkatṭha's willingness to go against the flow in his opinions and in his actions.

After his endless engagements for over twenty years in Burma and India, followed by the stresses of the Sangha trial arising from the false *pārājika* accusation and establishing his school, an exhausted Shin Ukkatṭha fell seriously ill. This was in 1933 when he was just 36. He lay in bed, drifting in and out of consciousness. His doctor withdrew his treatment to allow him to die in peace, estimating that he would be dead within 24 hours. However, his assistant Ashin Javana intervened, administering drops of water into his mouth and making him swallow what are described as “pieces of golden bread made in England.”⁷⁴ The crisis passed and he began to make a slow, steady recovery. However, the illness had left him so weak that his feet and toes were too frail for walking while wearing the traditional slippers of Buddhist monks. To give him better support when walking, U Maung Gyi, the lawyer who had donated the money to build the school, gave him boots and encouraged him to wear them. It is not incidental that U Maung Gyi was a lawyer. Shoes had become required wear in Burmese courts. Turner writes,

“In August of 1899, the stores in Moulmein were overwhelmed by Burmese and Indian men seeking to buy socks. The sudden fashion requirement stemmed from a demand by a local European judge that those appearing before him adhere fully to norms of dress.” (Turner 2014: 110).

By the 1930s, it had become usual for those working in officialdom to wear European-style shoes. However, the matter of monks wearing shoes, and that of people wearing

⁷⁴ Around this time, the significance of Western medicine, which had been resisted up until the 1920s (Naono 2009), had grown in the region, particularly after King Vajiravudh of Thailand's support of Western medicine in the 1920s, including his 1920 ban of traditional Thai medicine (Crosby 2013: 128). I am not sure if this is bread or puffed rice or a type of biscuit. The sound of the Burmese words for these two things is similar: *paung mon* (bread) and *pat mon* (puffed rice). Shin Javana soaked the puffed rice in a cup of water and treated Shin Ukkatṭha with this water.

shoes when visiting monks and pagodas, were altogether different. While some of his fellow monks and some of the local laity understood the situation, others criticised Shin Ukkatṭha. After six months, he stopped wearing the shoes, stating that he had recovered sufficiently from his illness (Mya Din 198?: 186-189).

It is possible that Shin Ukkatṭha would have continued wearing shoes had he not faced this criticism. After all, his position as head of a school was an official one, and one that required much activity. In Thailand, at the end of the 19th century, under King Chulalongkorn (r.1868-1910), who was often looked to as an authority by those Buddhists seeking to modernize, western shoes had been extensively adopted, even by monks. Shin Ukkatṭha insisted that laypersons could enter his monastery with footwear. As the founder and abbot of the monastery, and OBM within it, following a discussion with his assistant monks, he decided to allow laypersons to wear shoes in the monastery compound. This decision was criticised by monks from other monasteries in Taungdwingyi and local laypersons. In general, in Burma, Buddhists do not like laypersons wearing shoes in any monasteries, even just in the compound: in Burmese tradition a monastery is sacred land which should not be polluted by footwear, especially by that of laypeople. In Burma, on and in the pagoda⁷⁵ and in the monastic and sacred buildings monks usually do not even wear their slippers. If the floor of a monastic building is made of a concrete (typically this would be the ground floor) and is not covered by any floor sheets, then they do wear their slippers there, removing them when they reach any wooden floor. Traditionally, laypersons, especially those from the countryside do not usually wear shoes or slippers either on the pagodas or in monastic and sacred buildings. It is usually regarded as disrespectful and insulting to the *sāsana* even to enter the monastery compound thus attired. A popular story of the *karmic* consequences of committing such an act encapsulated the belief. The story told that King Bimbisāra, who ruled in India during the Buddha's lifetime, suffered cuts to his feet in his life as a consequence, in a previous life, of wearing shoes whilst standing on a pagoda platform. Shin Ukkatṭha dismissed this. The story of Bimbisāra had no authority in canonical texts, he pointed out. Not even the Pali commentaries or sub-commentaries mention it; it was only a Burmese Buddhist tradition.

⁷⁵ One can both go inside pagodas and, in some cases, walk on the multilayered external structure too.

The controversy in Burma regarding shoes dates back to 1892, when, to the shock of other worshippers, Okhpo Sayadaw, the founder of the *Dvāra gaing*, visited the Sadawshin Pagoda in Prome whilst still wearing his slippers (Turner 1914: p.121). He then prompted further outrage when in 1892 he visited, again clad in his traditional slippers, the Shwedagon Pagoda, which is the most sacred temple in Burma, home of the hair relics of the Buddha. Okhpo Sayadaw was a reformist, concerned with emphasizing intention over ritualized behaviour. His point was thus to emphasise respect as an internal matter, a personal matter, and it touched on broader issues over whether religion is a matter for the individual or for the collective. As we shall see in the next chapter, some other monks similarly challenged what they saw as blind adherence to inherited norms over personal understanding. However, Okhpo Sayadaw's actions were roundly rejected by most Burmese: they stimulated an outcry in the press but brought about no change in attitudes (Turner 2014: 122-3).

Later, during the 1916-1919 shoe controversy, the wearing of footwear on sacred ground came to be associated with national sovereignty. Around that time, Europeans were allowed to retain their footwear while visiting sacred sites on the grounds that, while Burmese show respect by removing their shoes, Europeans do so by doffing their headwear. Muslims had also been wearing footwear when visiting sacred Buddhist land, but this changed in 1875, following complaints that, since it was traditional for them to remove footwear in mosques, they should do the same in Buddhist pagodas (Turner 2014: 123). The shoe issue arose again in 1901 when the Irish monk U Dhammaloka, always keen to challenge colonial authority, asked an Indian police officer at the Shwedagon, who was off duty but still wearing his uniform, to remove his shoes (Turner 2014: 124). The temple authorities eventually acquiesced to the pressure that followed, and continued to permit Europeans and Americans their exemption. In 1916, this was challenged by U Thein Maung, a lawyer in Prome, who removed the exemption from the notice outside the Toungoo Shwesandaw Pagoda, instructing visitors to take off their shoes. The matter received much attention when it was planned that the Viceroy of India would visit Prome as part of a tour of Burma; to avoid the problem as to which would win out, Buddhist tradition or colonial power, Prome was removed from the itinerary. Encouraged by the impact of his actions, U Thein Maung asked the Young Men's Buddhist Association (YMBA) to extend the removal of the exemption. At a meeting in May 1918 the YMBA accepted

his proposal. The YMBA had enormous power in the emerging anticolonial movement. It put pressure on pagodas to prohibit the wearing of shoes in all temples, regardless of the wearer's background. Alicia Turner interprets this in terms of a whether religion was a private affair to be conformed to only by its adherents, or whether a single religion (for missionaries Christianity, for Burmese Buddhism) had universal applicability. She writes,

“By 1919, the anti-footwear proponents, who made up the majority of the Buddhist associations, rejected the government’s way of defining religion. In their argument that Buddhist pagodas required specific models of respect from all actors, they rejected the equivalence and spiritualization of religions. The Burmese insisted that respect for the Buddha and his *sāsana* could not be achieved by substituting alternative rituals of respect. ... These Burmese sought the protections of the government’s policy on noninterference because the *sāsana*, not religion, was in decline.” (Turner 2014: 133).

While this position developed in relation to the shoe controversy and was attractive as a means of thwarting colonial authority, the underlying attitude – that religion is not an issue of personal conscience – would have consequences for the development of mechanisms of Sangha control in the Independence period, especially the State Sanghamahanayake Committee. This would place those such as Shin Ukkatṭha, who, like Okhpo Sayadaw, who sought to debate and revise understandings of the *sāsana*, at odds with those seeking to enforce conformity among Sangha authorities.⁷⁶

Whilst the successful challenge of colonial authority over the shoe incident confirmed the equation of the defense of Buddhism with nationalism in the minds of the majority of those in the independence movement, Shin Ukkatṭha, though very much a nationalist as we shall see, followed his old friend and mentor Shin

⁷⁶ It continues to have an effect in recent times, such that the actions of Burmese committed outside Burma are regarded as nonetheless coming under the SSC’s remit. This position acted upon once such people step within Burmese jurisdiction, as in the case of the nun Saccavādi (see Chapter Three). Non-Buddhists are also held accountable, as in the case of the foreign barman arrested for using a Buddha image on a bar poster, without first being given due warning that his action – one that is an everyday occurrence in the West – could cause offense.

Ādiccavaṃsa, who, in developing his own reformed Buddhist views, was more aligned with Okhpo Sayadaw. Shin Ādiccavaṃsa, too, had allowed laypersons to wear shoes in his monastery in Yangon (Maung Ze Yar 2015: 154-155).

Shin Ukkaṭṭha responded to the criticism he attracted by rationalising his decision, in part – true to character – by referring to modern ‘science’. Firstly, he said that in fact people visiting the monastery barefoot made the monastery building dirtier than those with footwear, and it was thus in fact more disrespectful and sinful. Secondly, he said that not wearing shoes or slippers could affect their health. It was not fair on the laypersons if their health had to suffer thanks to their not being allowed to use footwear in the monastery compound, where they spent all their time. According to his biographers, he won his case and his critics fell silent. (Mya Din 198?: 189, Maung Ze Yar 2015: 215-216).

Defending Buddhism against Christianity

The shoe incidents might give the impression that Shin Ukkaṭṭha was happy to reject aspects of Buddhism. However, he was not only a nationalist monk, but he stuck to Buddhism and engaged in protecting it through his life. It is apparent that he challenged representatives of other religions at different debates between Buddhism and other religions in India (see above) and then in Burma.

One such thing he is accredited with is solving a problem about the use the term *gaing* in the name of the organization 'Byan Ma Zo Gaing' in Taungngoo, Pego Division, in 1934.⁷⁷ As I will explain in the next chapter, in Burma the term *gaing* (Pali

⁷⁷ The original of the 'Byan Ma Zo Gaing' (*Brahmavihāra-gaṇa* in Pali) is as follows. Saw Sa Phaw Wa, an animist, whose work was cooking for the wood-cutters in a forest, saw a white elephant while he was hunting. He tried to shoot the elephant with his gun, but it disappeared immediately. When the elephant appeared again, he remembered his parents' words, "The white elephant has power and purity". So instead of trying to shoot he paid his respects to it instead. This led him towards contemplation, though his parents persuaded him to marry. A year later his wife died in childbirth, and he was deeply distressed. Realising that his animism offered him no relief, he left his village, Nakhosi, Phapun Township, Kayin State to look for a better religion. He happened upon a monastery in Shwegyin, Pegu Division where he stayed and learnt from the abbot the four *Brahmavihāra* (noble living): *mettā* (loving-kindness), *kuruṇā* (compassion), *muditā* (sympathetic joy) and *upekkhā* (equanimity). He was much pleased with it. Then he changed his life, and became a Buddhist devotee wearing white clothes, observing the five precepts, being a vegetarian and meditating on a daily basis. He started preaching about *Brahmavihāra* in Kayin villages around, and organised many followers. In

gaṇa) is used to refer to branches in the Sangha in a way similar to the usage of the term *nikāya* elsewhere in the Theravada world. The name of the *gaing* (*Byan Ma Zo Gaing*) is regarded as a Buddhist term, but the *gaing* was a well-known Christian organization in the area. The *gaing* included both Kayin Christians and non-Christians.

Apparently, the members themselves expressed confusion about whether their name could be used in Christianity or only in Buddhism, and they invited Shin Ukkatṭha to address the matter. Even though he was still recuperating from his illness, he made the journey to Taungngoo, and preached for three consecutive nights. In his preaching he explained how the phrase '*Byan Ma Zo*', *Brahmavihāra* in Pali is recorded only in Buddhism, and not found either in the Christian Bible or the Islamic Koran. After the event, some of the Christians in that areas converted to Buddhism, while remaining members of the *Byan Ma Zo Gaing*. Some others converted to Buddhism and also quit the *gaing* (Mya Din 198? 200-201). The phrase is used to refer to the four meditations in which one develops the attributes of a 'god' (*brahma*): *mettā* (loving-kindness), *kuruṇā* (compassion), *muditā* (sympathetic joy) and *upekkhā* (equanimity).

Some context is needed to understand what had happened here. Missionaries in Burma as elsewhere in Asia sought local words to translate key Christian terms. The

this way, the *Byan Ma Zo Gaing* became into existence. When his followers increased in number he was arrested by the inspector of Taungoo on suspicion of political activism, but he was found innocent and released. . After that he changed his name to Bo Paik San. Because of his popularity, he was approached by Christian missionary workers and impressed by the words of Christ and St.Paul that they quoted, "If someone slaps you on one cheek, turn to them the other also" (New International Version), "If someone takes your coat, do not withhold your shirt from them" and "a man reaps what he sows." They pointed out to Bo Paik San that his compassion made him similar to Jesus Christ, and they permitted Kayin Christian people to be members of the *Byan Ma Zo Gaing*. Eventually Bo Paik San himself converted to Christianity. He founded a big village named 'Phadophalaw' in a forest west to Peinzalok, Pegu Division in 1898. He died at the age of 70. His *Bya Ma Zo Gaing* also gradually faded away. However, decades later, Dr Di Pho Min revived it, regarding himself as a *dhamma* heir of Bo Paik San. When Dr Di Pho Min died, he had already handed the *dhamma* heir over his son, Saw Thaw Ma Sin who became leader of *Byan Ma Zo Gaing* at the age of 27. The Headquarter of *Byan Ma Zo Gaing* was in Taungoo. By 1934, it was famous. The problem was that the name of *gaing* was a Buddhist name, but the *gaing* was a predominantly Christian *gaing* well known around the area, one which included Kayin Christians and non-Christians as well. There was confusion as to whether the *gaing* belonged to Christianity or Buddhism (Mya Din 198? 200-201).

word *brahma* is one of the words used for god. Thus, the group's name means something like, 'living according to god.' The term is used positively in Pali texts to refer to having the emotional qualities of a god. However, gods are still seen as being subject to *saṃsāra*, i.e. not omnipotent or omniscient, unlike the creator god of Christianity. For Christians, the term could also mean 'living according to God.' The term could thus have positive, albeit different meanings for both Buddhists and Christians, and as such was an appropriate term for a mixed group. It seems likely that in the 1930s, as Buddhism became increasingly emphasised as an expression of nationalism and anticolonialism, tensions between Buddhists and Christians within this group heightened. In taking a literalist, essentialist views about the etymology of the group name, Shin Ukkatṭha was ignoring one option in a comparative religious analysis of the term, siding with the Buddhist identity to the exclusion of the Christian one. He could have utilised his knowledge to enhance shared values across the two religions, but a desire to claim the higher ground for Buddhism may have motivated his interpretation.

Another issue between Christians and Buddhists shows more clearly Shin Ukkatṭha's stance. In 1924, an American Christian, a Baptist (unnamed in my sources) had published a book *Shwe Chain Gwin*, 'The Balance of Gold.' Comparing Buddha with God, the Buddha's teachings with God's teaching and Buddhist monks with Christian ministers, it was very critical of Buddhism. Over a decade later, in 1937, at the request of a school teacher, U Bo Hla, Shin Ukkatṭha responded to it and published a book '*Shwe Chain Gwin Aphyé*', A Response To *Shwe Chain Gwin*. Although first published in the late 1930s, the version I have access to was published in 1962. He made 50 factual comparisons between the Buddha and the Christian God, for example pointing out that the Buddha is kind, while the Christian God is cruel, that the Buddha neither killed a living being nor encouraged anyone to do so, whereas God both killed and ordered people to kill (Shin Ukkatṭha 1962: 27-28, 94-102).

Shin Ukkatṭha did not confine his critical engagement with Christianity to writing. In 1936, perhaps while he was working on the book, he became involved in a significant debate between Buddhists and Christianity in Kyaukkwin village (a village of Chin ethnicity) in Pyi District. The debate became known as the *Kyaunkwin ayaydawpon* or *Kyaukkwin* revolution. The debate started in the house of the village headman, U Hlaung. The village of Kyaukkwin consisted of 75 houses. Of these, only

four, including that of the village head, were Buddhists households, while the rest were Christians. Though the headman was a Buddhist, his wife was a Christian. Supporting both religions was expensive and affected their family. Between the pair the disputes and arguments about which of their two religions was better became a daily routine. The village headman discussed the matter with a local Christian minister, but the outcome of this was unclear and led to no resolution. Subsequently the husband and wife agreed to host a significant, day-long debate, inviting prominent religious leaders from both sides. The agreement included 13 points, for example: the debate's title was to be 'Which religion is better, Buddhism or Christianity?' if a family member were to convert either to Buddhism or Christianity, that side could claim victory; if either side fails to join the debate, they have lost the competition (Thakhin Myat Saing 1962: 28-31). Before long, the Christians were able to confirm their contestants, having looked around Burma for prominent Christian ministers, and inviting representatives from various places including Pye Yangon, Mandalay and Mawlamyaing. Meanwhile, the Buddhists were still looking in Pakhukku, Mandalay and Yangon for representatives. It seems that, fearful of losing the debate, Buddhist monks were trying to avoid it: the debate was becoming too important for Burmese Buddhist history. As the debate drew closer, no contestants from the Buddhist side came forward, and the Buddhist monks and laypersons of the area started to lose heart. Just a week before the debate, a monk, Ashin Mahānanda from Aung Lan, brought Shin Ukkatṭha to the village for the debate. Shin Ukkatṭha, on the way to the debate, practised a mock debate with U Ohn, an experienced preacher who was an ex-monk, the *Myawadi Sayadaw*. In their mock debate they searched for and pointed out the weak and strong points of both religions, thus scrutinising not just the arguments for Buddhism but preempting those that they would need to tackle on the Christian side.

According to a newspaper report of the debate, including Shin Ukkatṭha there were five monks on the Buddhist side, balancing the five for the Christian side. Their names and the places that they came from were as follows:

Buddhist side

1. Sayadaw U Ñeyya (Yangon)
2. Sayadaw U Ukkatṭha (Taungdwingyi)

3. Sayadaw U Kuṇḍala (Taungoo)
4. Sayadaw U Mahānanda (Aur Lan)
5. Sayadaw U Sujāta (Aur Lan)

Christian side

1. U Tha Din (Yangon)
2. U San Tun (Papyingyi)
3. U Bo Mya (Pyi)
4. U Nyan (Paungtale)
5. U Kan Gyi (Tonese)

(*Thuriya Newspaper* 1 May 1936, p.12, columns 1-3).

According to a later edition of the *Thuriya Newspaper*, in a report on pages 23 and 24 on 7 May 1936, no less than nine Buddhist monks spoke for the Buddhism at the debate: U Kesara, U Jeyasita, U Ariyadhamma, U Mahānanda, U Sumana, U Indavaṃsa, U Suta, U Ukkatṭha and U Kuṇḍala. A group photo of all of them is on the same page.

The debate was arranged for 1 May 1936, with a morning session and an afternoon session. At the expense of the two parties, a huge pavilion for the debate was constructed in a paddy field in Kyaukkwin village. Hundreds of monks and thousands of laypersons attended. A Head Patron was chosen from each side: U Kuṇḍala from the Buddhists and U Shwe Hman from the Christians. The audience was guarded by the police.

A significance absence from the list of Buddhist monks was U Ñeyya, who had declined the request of Buddhist monks and laypersons for him to take a leading role in the debate. A famous preacher at that time, he had written a book, *Lawka Myet Hman*, 'The World's Spectacles (Eye-glasses)' which was highly critical of Christianity. The Buddhists were convinced he could defeat the Christian contenders at the debate, but he declined without giving a reason. The rumour was that he was afraid of the Christian speakers who were converts from Buddhism to Christianity.

According to Myat Saing (1962: 148-149), the Christian speakers had studied U Ñeyya's *Lawka Myet Hman* and were well-prepared to respond to its arguments. Having anticipated that he would be the Buddhist side's key speaker, they gave their rehearsed speeches at the debate, even though U Ñeyya did not appear. This is

confirmed by the *Thuriya Newspaper*, which published an account of the debate on 22 May 1936, reporting that the Christian speakers were not pleased with U Ñeyya's absence. They had asked the Buddhist monks for the reason why he had not turned up. The monks responded that he was busy with important affairs such as examinations and *dhamma* talks. The Christians then asked if there was anything more important than this debate to reasonably detain him, to which the monks were silent. Nonetheless, since their arguments were prepared, the Christian speakers mostly responded to U Ñeyya's written criticism of Christianity (page 10 column 2-3 on 22 May 1936).

U Ñeyya's absence left Shin Ukkatṭha in the leading role. As an aside, this may have particularly pleased him given U Ñeyya's recent attack on Shin Ukkatṭha's old friend and mentor Shin Ādiccavaṃsa. This is not mentioned by any party engaged in the debate, but we can find an account of it in Ādiccavaṃsa's later account of the situation published in 1938 (Ādiccavaṃsa 1938: 164-166). According to that, in 1935, the year before the debate, U Ñeyya was behind a *pakāsanīyakamma* against Ashin Ādiccavaṃsa which roundly criticised Ashin Ādiccavaṃsa's book *Bhikkunīsāsanopadesa*, published the same year, in which he supported the revival of the Theravada *bhikkhunī* Sangha.

In the morning section of the debate, the first speaker, U Tha Din, a Christian religious teacher from Mandalay explained that he was a convert from Buddhism. He pointed out the weakness of Buddhism by focusing on the *Buddhavaṃsa*, 'the chronology of the Buddhas,' one of the later books of the Pali canon. It gives a summary of the lives and careers of Siddhattha Gotama and earlier Buddhas. It tells how Siddhattha, the Buddha-to-be being, was conceived in his mother's womb on full-moon day, and that four large golden pots appeared when Siddhattha was born. It also contains a story in which the god Sakka transforms himself into a rat in order to get into the underwear of Ciñcamānā, a nun who had falsely accused the Buddha of having sex with her, and gnaws through the rope that tied a fake bump to her to make her look pregnant. It also contains an account of the Buddha being injured by his rival, and jealous cousin, Devadatta (of whom we have heard in Chapter One).

His arguments based on these stories were as follows. According to Buddhism, for conception to take place there are three requirements: the mother's womb must be clean and clear, the parents must have sexual intercourse together and the fetus-

to-be must incline its attention towards the mother's womb. Thus, it is obvious that Buddha's parents were not observing the eight precepts, which include celibacy on the full-moon day of the month of Kason.⁷⁸ The diametres of the four golden pots were 2 miles, 4 miles, 6 miles and 8 miles respectively: if they came out from the ground in the city of Kapilavatthu when Buddha was born, the city would have been completely destroyed. By getting inside the underwear of Cinñcamānā, Sakka, an important god in Buddhism, credited with many acts supportive of the Buddha, was disgraceful and ungodly. If it was possible for the Buddha to be injured by Devadatta, then that must have been the consequence of an unwholesome action; if so the Buddha cannot have completely eradicated the unwholesome, and therefore was not really enlightened (a definition of which is the removal of all unwholesome mental states and actions). This was the kind of Buddhist argument that U Tha Din used against Buddhism. He concluded his speech by saying that it was because Buddhist teachings are illogical that he had left Buddhism and converted to Christianity of his own accord.

Next it was Shin Ukkaṭṭha's turn and in his rebuttal, despite the manifold confusion of detail present in the reportage, we can see his detailed knowledge of the history of the literature of both Buddhism and Christianity: he was amazed when he heard U Tha Din's talk about Buddhism; he had expected that U Tha Din would criticize Buddha's genuine teaching, but in fact he only criticised later literature which, Ukkaṭṭha said, was written by Sinhalese writers, and were not original canonical works; as the patron on the Christian side, U Shwe Hman, and this first speaker U Tha Din, had previously been Buddhist monks learning Buddhist literature, they should have known that Buddhist literature was of two kinds, the one genuine teaching and the other the teaching of Sinhalese *literati*; they failed to differentiate between these two kinds of teaching, firmly holding that they all were the Buddha's teachings; that is why they converted from Buddhism to Christianity; they do not know the genuine Buddha's teachings, but just took it all for granted; perhaps then

⁷⁸ Buddhist people regard each full-moon day as a important day on which they normally observe eight precepts, i.e. not to kill living beings, not to steal other people's property, not to have sex even with one's own spouse, not to tell lies, not to take alcohol and drugs, not to have a meal after noon, not to beautify oneself using cosmetic, perfumes and flowers, and not to use luxurious seats and beds (*Aṅguttaranikāya*, *Aṭṭhakanipāta*, 80). U Tha Din pointed out that the Buddha's parents had sex on full-moon day, though they should have taken eight precepts.

they may not know the genuine teachings of Christianity either, but also just took them for granted too.

U Tha Din, he observed, had been referring to words from *Jinatthapakāsani* written by Kyī:thè:le:htat Sayadaw with reference to commentaries and sub-commentaries, but those cannot be recognised as the Buddha's teachings. Meanwhile, in Christianity, is the Bible a fixed text? He then made some points that would be contested by biblical scholars but appeared to work for his audience: The Bible first translated into English by Wycliffe in the 1380s and the later version by Tyndale differ from each other in places; furthermore Tyndale's Bible was edited by Miles Coverdale in 1560. Tyndale wrote the Bible referencing Hebrew treatises in which God killed the people of Jerusalem by creating a huge flood. Martin Luther did not like that chapter and removed it. The Christian people may accept these stories, if someone says that they are all the teachings of God. In Buddhism, despite all of the different teachings, no one can find the Buddha killing living beings, such as God did. Moreover, there was a commentary on the Bible written by William of Ockham between 1295 and 1349. He said everything is God's will. Therefore, the non-believer in God, the killer, the thief, the rapist, the liar and the drunkard are also God's wish. The Buddha was not like that. He guided the people not to do any evil, such as killing and stealing.

According to those writing about Shin Ukkatṭha, at the end of the morning session eight families converted to Buddhism (Myat Saing 1962: 161 and (May Din 198?: 241). In the afternoon section, he spoke first. He asserted that Jesus had said, "Believe in what I say, don't make any pretext."⁷⁹ If he had been sufficiently confident of himself, he should not have been afraid of being criticised or analysed. Buddha welcomed all saying, "come and see or come and test". (This may refer to two very well known texts in Buddhism: one is the description of the teaching as *ehipassiko*, something that you can come and see for yourself; the other the *Kālāma Sutta*, which explains that one should take no teaching on trust, but assess whether it is wholesome or not.) Shin Ukkatṭha talked about Buddhism for an hour, and then U Tha Din talked about Christianity for an hour. According to Shin Ukkatṭha's biographies, at the end of the debate the rest of the families in Kyaukwin converted to Buddhism. The Kyaukwin villiage became a completely Buddhist village (Myat Saing 1962: 145-189,

⁷⁹ I have not been able to identify this as a quotation from the Gospels. Perhaps it is his rendering of "Jesus said to him, Again it is written, you shall not put the Lord your God to the test."

Mya Din 198?: 203-266). For him, this was one of the historic milestones of his life. The newspaper coverage partially confirms this story, but there it is less dramatic. According to *Thuriya Newspaper*'s next report of the event, on pages 23 and 24 on 7 May 1936, eight Christian people converted into Buddhism at the debate. As we have seen, according to Myat Saing (1962: 161) and May Din (198?: 241), eight Christian families converted into Buddhism just after morning section of the debate. It is not clear whether this is because the reporters only recorded the first conversion, and failed to report later conversions on the same day, or if Shin Ukkaṭṭha's biographers recall the event as more dramatic than it really was. A few days later the *Thuriya Newspaper* does report on further conversions. On p.7 column 2 on 23 May 1936, it mentions that five more Christian people converted into Buddhism. And then, again, five days after that, it reports that another group of more than twenty-two Christian people converted into Buddhism (p.4 columns 1-3 on 28 May 1936). The newspaper thus returned to the subject of the debate repeatedly, reporting on further and further conversions.

In the same year, 1936, Shin Ukkaṭṭha received a letter from Dr. Nayah, the founder and president of the Buddhist Society in Bombay, India. It was an invitation to him to come and stay, and preach *dhamma* talks at the society. Shin Ukkaṭṭha did not go himself, but he sent his pupil monk, Shin Ariyadhamma, who was from a British-Indian background. Shin Ariyadhamma stayed in India for two years discussing *dhamma* with many people including Dr Nayah and Dr Ambedkar. This was the crucial period in the lead up to Ambedkar's conversion to Buddhism, which indicates the significance of Shin Ariyadhamma's contact with him. The Italian monk Lokanatha, who had been ordained in Burma in 1925, was among those seeking to persuade Ambedkar to convert, though this conversion would only publicly take place – with 60,000 followers – two decades later. After two years, Shin Ariyadhamma came back to Burma. He later went to the Americas for missionary work. According to Ko Ko Kyi, he died in Mexico (Ko Ko Gyi 1974: 20-28).

The end of the OBM

Shin Ukkaṭṭha experienced three arrests in his life, in addition to his posthumous trial which I discuss in the next chapter. He was arrested by the British in 1942, the Japanese in 1943 and the post-Independence caretaker government in 1959.

The first two of these arrests were during a period of great upheaval in Burma. 1942 was the year when the Japanese invaded Burma, expelling the British, Chinese and Indian forces. They were assisted by the Japanese-trained Burmese Independence Army, headed by Aung San. When the Japanese invaded, the British retreated from Yangon further north into Upper Burma. The retreating British arrived in Taungdwingyi, where Shin Ukkatṭha lived and had his school. Perhaps finding out about the activities at the school, or aware of its association with figures such as Aung San and Galon U Saw, the British arrested Shin Ukkatṭha and placed him in the Taungdwingyi prison. Shin Ukkatṭha himself – at least when writing from a post-independence perspective – presumed that the reason for his arrest was his school's nationalist and pro-independence stance. However, there were no prison staff left to work at the prison, so when, nine days later, the British retreat moved on from Taungdwingyi, the British had to release all the prisoners and Shin Ukkatṭha left the jail. Four or five days after the British departure from the town, a group of *thakhin*, a nationalist group, who had been detained in Monywa prison but had unlocked their prison themselves, passed through Taungdwingyi en route to Yangon. The group visited Shin Ukkatṭha and asked him to come with them to Yangon.

When they arrived in Yangon next day, they met with Thakhin Kodaw Hmaing. He requested that Shin Ukkatṭha should reconcile a rift within the Sangha between a group led by his old friend Ashin Ādiccavaṃsa and a group of led by Jotanāyāma Zawtanayama Sayadaw. Zawtanayama Sayadaw had been a leading participant in the formal action "*pakāsaniya kamma*" against Ashin Ādiccavaṃsa in response to his publication, *Bhikkhunī Sāsanopadesa*, 'Instruction on the Religious Transmission of the Nuns', which advocated the reinstitution of the full ordination lineage for women, as noted above.

The Burmese independence activists working with the Japanese wanted to show the newly ruling Japanese government the unity of the Burmese Sangha. Ukkatṭha was also asked to do 'missionary work' with them. This presumably meant convincing people to work with the Japanese, by using propaganda that would be more convincing coming from the mouth of a highly-respected Burmese monk. The Japanese-Burmese forces even said they would issue weapons him for the work if he wanted, but Shin Ukkatṭha refused saying, "The Buddha did not use weapons, I also cannot do missionary work which involves weapons." (Shin Ukkatṭha 1961: 96). At

this, the Burmese Captain, Capt Moe Gyo and a Japanese monk, Nagai, had Shin Ukkatṭha and other three monks detained. It was rumoured that they were all to be executed. However, Ashin Ādiccavaṃsa, came to their rescue, making a personal request to the Japanese general, General Ida. As a result, all four monks were released after 20 days in the prison in Yangon (Saddhamodaya Sayadaw 1954: 224, Ukkatṭha 1961: 95, Ukkatṭha 1966: 63-66, Mya Din 198?: 310, Maung Ze Yar 2015: 39).

After his arrest in Taungdwingyi in 1942, Shin Ukkatṭha's OBM school stopped running and closed down. He was now 46 years old and moved to a forest monastery, *Nat Hmī Taw:ya*, in the same town, Taungdwingyi. This remained his base until his death in 1978, although he would intermittently travel again, including journeys abroad.

The *Nat Hmī Taw:ya* monastery is a historic place. There are various stories about its significance as a Buddhist site, the former home of learned monks. One story is about the emergence of four famous novices in Taungdwingyi in the period of Innwa dynasty (1364-1555): Shin Uttamakyaw (1453-1520), Shin Mahāsīlavāṃsa (1453-1550), Shin Ohn Nyo (1453-1493) and Shin Khemā (1453-1506). They have been well known as *Pele:bin shinle:bā:* (four palm trees and four novices)⁸⁰ in Burmese history. They all were well-versed in *tipiṭaka*. Shin Uttamakyaw is famous for his poem *Taw:lā:* 'Traveling to the Forest' about the Buddha's first visit to his native city, Kapilavatthu. Shin Sīlavanta is famous for his poem *Pāramīkhan:phyo*. 'Episode of Perfection' about Buddha's fulfillment of perfection. Shin Ohn Nyo is famous for his poem *Gāthākhyauksèphyo*. '60 verse poem' about the pleasant environment of spring. Unfortunately Shin Khema's writings have been lost, though he was recorded as a writer on the history of Buddhist literature. Of these four novices, the first two lived and studied at the *Nat Hmī Taw:ya* monastery http://www.intensityclass.com/2012/11/blog-post_267.html.

In commemoration of these four famous novices, Shin Ukkatṭha erected a stone monument inscribing their names, with the years of their births and deaths, on

⁸⁰ Four young palm sprouts grew up from the ground in Taungdwingyi, c.1436. People read this as an omen that four intelligent novices would soon appear there. At that time, palm leaves were used to write letters; and intelligent novices would also write letters on the palm leaves. Therefore, they expected or believed that those four novices would surely appear. As they believed, so it happened, each palm tree referring to one novice. Thus, it has been known as *pele:bin shinle:bā:*.

the wall of the monument http://www.pyustate.com/2011/07/blog-post_8862.html. Apparently Sayagyi Pāragū (1921-2011) named Shin Ukkatṭha as '*Pinsamapebin Sayadaw*, the fifth palm tree Sayadaw (Maung Ze Yar 2015: 123-125). This explains the title of the recent book compiled by Maung Ze Yar and published in 2015: *Pinsamapebin Nat Hmī Taw:ya Sayadaw Shin Ukkatṭha* (see above).

In 1956, Shin Ukkatṭha also erected in the monastery the 2,500th Buddhasāsana Monument, put up to mark the 2,500th year of the Buddha's *parinibbāna*, final enlightenment. This was also the year that the Sixth Council, which was commemorating the same event, was concluded. On the four sides of the monument he inscribed the four phrases summarizing the teaching of the Buddha: *Buddha Ovāda* (Buddha's advice), *Buddha Lan:zin* (Buddha's paths), *Buddha Achegan Tabaw:tatayā:* (Buddha's basic principles) and *Buddha Abhidhammā* (Buddha's philosophy). Later, Shin Ukkatṭha's own tomb was built in the monastery campus, on top of which a statue of him standing was erected. Extracts of his writings, his birth date (19.9.1897) and the date of his death (27.11.1978) are inscribed on the sides of the tomb.

In the monastery building there is preserved a painted portrait of him, and also photographs of him, including a black and white group photo. The group comprises his pupil monk, Ashin Javana, the head of Kyaukkwin village, U Hlaung, and himself. This group photo hangs on a post inside the monastery. The painting shows him conversing with Ho Chi Minh (1890-1969), leader of the Vietnamese Independence movement, who established Communist Vietnam. Shin Ukkatṭha met with Ho Chi Minh in Vietnam in 1958 after attending the World Peace Congress in Sweden. The painting is a copy of a photograph taken at the time but that has since been eaten by termites. Under the Ho Chi Minh picture, the ten criteria from the *Kālāma Sutta* about what teachings should and should not be accepted are written in Pali, Burmese and English. They neatly conveying his religious views, i.e. that teachings must be subjected to scrutiny and must be globally applicable. This and his photo are hung on the monastery wall. His living room at the monastery has been preserved as a small museum. On the entrance to it, his daily routine is displayed. His bed, a robe, a blanket, a pillow, a walking stick, a typewriter and a cupboard for books are also displayed in the room. Several photos hang on the room's walls.

In 1945, the British regained power in Burma from the Japanese. In the same year a meeting known as '*Nethūrein Asī:awe:*' was held in Yangon. Shin Ukkatṭha from

Taungdwingyi and Shin Pavara from Mandalay were invited to participate in the meeting. According to Maung Ze Yar, a Christian priest, Rev Ed Pelton and an Archbishop, Rev West were the central figures in the meeting.⁸¹ The main theme of the meeting's discussion was about forming a religious alliance against communism. The Archbishop said, "Communism has spread throughout the world, including in Burma, and the Communists do not believe in religions; therefore all our religions should unite together and fight communism". He asked Shin Ukkatṭha to lead the Buddhists and organise the Buddhist monks and religious societies to participate in the project, saying the expenses would be supported by the World Sucarita Organisation.⁸² Shin Ukkatṭha rejected the offer, saying that he would only like to work independently on the purification of *sāsana*, without collaborating with other religions (Maung Ze Yar 2015: 146-147).

In 1947, Shin Ukkatṭha spent a year revisiting India. When he returned to Burma, General Aung San had been assassinated and the Communist movement was also stronger. For several years, Shin Ukkatṭha stayed at the Nat Hmī Taw:ya monastery in Taungdwingyi preaching and discussing the *dhamma*. From 1952 he regularly published books, starting with *Buddha-abhidhammā* (the Buddha's philosophy). He wrote approximately 40 books (see table x) and several articles. He also participated in a large *Piṭaka* proof-reading project with many monks from different *gaing*, including Ashin Setṭhila, the student of Ukkatṭha's friend and mentor Shin Ādiccavaṃsa, who – as observed previously – had been a missionary in London during the Second World War (Maung Ze Yar 2015: pp.148, 150, 296-297).

Post independence

When the Sixth Council was established in 1954 (see Chapter One), Shin Ukkatṭha was invited to participate and was appointed as a president of the *pāḷivisodhaka* section, the section for editing the Pali canon. However, when he removed some Pali sentences which he deemed to be Brahmanistic interpolations, the

⁸¹ Presumably the latter is Geogre Algernon West (1893-1980), the sixth Bishop of Yangon 1935-1954, who was absent during the Japanese period but returned to Yangon in 1945. I wonder if the former is not Ed Pelton, but George Appleton, whom West had appointed as archdeacon in 1942 (Purser 1911).

⁸² It was a Christian organisation supported by American tycoons and entrepreneurs (Thakhin Myat Saing 1964: 77). I have not yet been able to link it to the organization with which West was associated.

executive monks disagreed with him, insisting on sticking to the marble stone inscriptions of the Fifth Council preserved in Mandalay. In response, he ended his participation in the Sixth Council (Thakhin Myat Saing 1964: 79-80), Maung Ze Yar 2015: 148).

In 1956, he returned to India again, leading a group of nine Burmese writers going to New Delhi, India, to attend the Asia-Africa Literature Conference. He also led a Burmese group to Stockholm, Sweden to attend the World Peace Conference in 1957-1958. On his way back from Sweden, he travelled in several European countries, the Soviet Union, China and Vietnam. In 1958, he published the book *Lūthelūhpyit*, ('Die Human, Born Human'), of which we have had cause to mention so many times. Ostensibly because of the book, he was arrested in 1959 during the period of the caretaker government. His dream of establishing a Buddha University was washed away by the arrest (Ukkaṭṭha 1961: no.2 p18). Nine months after his arrest he was released on bail.

When we look at parallels with events in Thailand and the prosecution of Phimonlatham (see Chapter Three), we can also speculate about whether monastic rivalry, as earlier in his life, had contributed to his arrest. Like Phimonlatham, Shin Ukkaṭṭha's Communist sympathies were clear and his recent activities internationally, including his meeting with Ho Chi Minh in Vietnam the previous year, may have also been behind the arrest. Although Shin Ukkaṭṭha never fully comes out as a Communist, it is clear from a variety of evidence that he was supportive of leftwing positions, whether Socialist or Communist. His interest is in forms of government or economics that will reduce poverty and overturn capitalism. For example, he mentions in his own biography, "it can be said that the activities of anti-colonial government were initiated in his National School", and continues to claim that the foundation camps of the Anti Fascist People's Freedom League, People's Armed Force, Communist Party and Red Army, etc. were at his National School (Ukkaṭṭha 1961: 94). Furthermore, he states, clearly making a reference to Marx's famous statement on religion, "Buddhists are just like opium consumers; we, monks, are just like the ones who encourage you to stop using the opium; it is really true what the communists said, 'Religion is Opium'" (Religious Affairs 2005: 9). His materialistic teaching, that "the doer and the one who senses are all matter, no mind at all" (Ukkaṭṭha 1963:56), can be interpreted as being influenced by communist materialism.

Shin Ukkatṭha's escape from the outcome of the 1959 *vinicchaya* against him was thanks to the coup of 1962, in which Ne Win's Revolutionary Government took power. Ne Win issued a General Amnesty in 1963 so that the charges against Shin Ukkatṭha were dropped, but in the same year an action, the *pakāsaniyakamma* was taken against him by the Sangha (Maung Ze Yar 2015:148-150). He attempted to respond to the *pakāsaniyakamma* by writing a draft named *Tanpyan Pakāsaniya*, ('A Response to the *Pakāsaniya*'). Later, in 1966, it was typed up by Shin Revata, but not published.

After this, Shin Ukkatṭha's role in public life became less prominent. According to the book of *Lūthelūhpyit Vādānuvāda Vinicchaya* (2005: 4-6) published by the Department of Religious Affairs (see Chapter Three), he was a patron of the Sammādiṭṭhisutesana Society founded by his followers in 1963, just after his *pakāsaniyakamma*. Its branches flourished throughout Burma. Subsequently, the society *Shwe Abhidhammā* also appeared, as an offshoot of the Sammādiṭṭhisutesana Society. However, there is little trace of his direct involvement in such affairs except for occasional preaching tours he made around the country, and his supervision on the Nikāya Training Course in Daydaye, Ayeyawadi Division in 1975 (Maung Ze Yar 2015: 279-306). He passed away at the Nat Hmī Taw:ya monastery in Taungdwingyi in 1978, before the *Vinicchaya* trial that we shall discuss in the next chapter commenced. In the rest of this chapter I shall describe some of Shin Ukkatṭha's many writings.

Shin Ukkatṭha's known publications

Over the course of his life, Shin Ukkatṭha published nearly forty books and numerous articles. I have not tracked down all of his articles: to do so would be very difficult, given that he was extremely productive at a time when many new associations were publishing pamphlets and journals, and monasteries were also publishing religious texts. However, I have identified many of his books, and have been able to inspect about half of those. I have listed them, with transcriptions and an English translation of the titles, in the table in Appendix I.

The information for those books that I have not seen mostly comes from the documentation of his *Vinicchaya*, *Lūthelūhpyit Vādānuvāda Vinicchaya*, published by the Department of Religious Affairs in 2005. Additional information can be found in

Internet sources, and further information in his printed books. Over the last three years, I have been collecting his works, and am able to provide detailed information for nineteen of them.

Shin Ukkatṭha's writings vary in genre. They include translations of Pali texts into Burmese, English and Urdu, accounts of other forms of Buddhism, discussions of political positions, responses to Christianity, basic sermons and representations of his own particular take on Buddhism. They also range in terms of how widely they were and are circulated. Some remain famous to this day while others are obscure. Here I shall describe a few in more detail to illustrate this.

Shwe-chain-gwin ('The Balance of Gold') was written and first published in 1937 and the version I have was printed in 1962. A factual comparison of Buddhism and Christianity, the reason for its publication – a response to an earlier Christian publication – has been discussed above. It compares the nature of life lived according to the Buddha's guidance with that lived according to the Christian conception of God. The former path is to develop the world, one's knowledge, and one's own development while the latter is to worship in the hope of receiving one's desires during earthly life and, after death of being reborn in heaven. The former is to think rationally, to investigate, to search for knowledge, while the latter is to believe blindly without thinking anything. Many similar comparisons are made in this book.

His *Kappaypyassanā* ('Questions about the World'), written in 1939 and first published at some point in the mid 1940s, is a famous book and widely accepted by the Burmese public as an authoritative text on different religions. Drawing on his studies of different religions and his debating experience in India, it investigates world religions and different kinds of worship through a series of answers to 45 questions such as "what qualities must a religion be endowed with to be regarded as the most genuine one?" (Ukkatṭha 1964: 98). The religions examined include Buddhism, Christianity, Hinduism, Pathi (Islam)⁸³, Confucianism, Taoism and Sikhism. Before he published it, in order to have its validity confirmed, he showed it to over 55 knowledgeable monks and men throughout Burma. He says that all of them agreed with it after reading it thoroughly three times! For the book's second edition, published in 1955, he wrote a foreword explaining that it had been written over a decade earlier, implying that he no longer held all the same views. He wrote that in

⁸³ Shin Ukkatṭha used the words "*Pathi*" and "*Mahāmedin*" in place of Islam.

the meantime “The world has changed, the idea of what it is to be human has also changed, as has my mind and body; Shin Ukkatṭha with the old mind and body is different from the Shin Ukkatṭha of now, with new mind and body. Therefore the ideas of Shin Ukkatṭha have also changed.” (Ukkatṭha 1964: 24). However, he said, as it had already been approved by knowledgeable monks and laymen he had not edited the books in accordance with his new ideas. From the third edition of 1964, the presses and publication dates of the first and second editions are not exactly certain, but according to his foreword in it, it seems that the first publication was made just after the second world war and the second in 1955. This book provides a brief account of all the religions, treating them all equally, without passing judgement on any religion as good or bad.

Buddha-abhidhammā was published in 1954. Although in some places Shin Ukkatṭha rejects *Abhidhamma* or parts thereof, in others he seems to accept its significance. His attitude to *Abhidhamma* is obscured by his more general use of the term *abhidhamma* to refer to metaphysics, or the philosophy of causality or an account of the universe in general. Although the title is *Buddha-abhidhamma*, he also explores other ancient Indian philosophies. He explains non-duality, which he terms *advitta abhidhamma*, duality, which he terms *dvitta abhidhamma* and the Buddha's philosophy *Buddha abhidhamma*. *Advitta abhidhamma* non-duality is classified into two kinds: *rūpādvitta abhidhamma* (matter is essential) and *arūpādvitta abhidhamma* (mind is essential). In contrast, *dvitta abhidhamma* duality is based on the balance between mind and matter as in pairs such as male and female, hot and cold, active and passive, or offensive and defensive. When discussing Buddhist *abhidhamma*, he is not generally referring to the *Abhidhamma Piṭaka* but to those texts in the *Sutta Piṭaka* that he regarded as particularly important. He rejects the notions of an omniscient God and the soul with reference to the *Kālāma Sutta*. He states that *abhidhamma* is made up of the living or conscious world (*saviññāṇaka*) and the inanimate world (*aviññāṇaka*), and explains how it functions with four major factors, *satta* (living beings), *paṭisandhi* (connections/rebirth), *paṭiccasamuppāda* (dependence origination) and *sacca* (noble truths). He concludes that the four noble truths from *Dhammacakkapavattana Sutta* form the foundation of the whole *Buddha abhidhamma* (Shin Ukkatṭha 1954: 163).

Lūthelūhpyit (‘Die Human, Born Human’) was published in 1958. According to this book, Shin Ukkatṭha first started using the term “*Lūthelūhpyit*” in 1951. The main

theme of this book is his belief that "if a human dies, then [it is] reborn as a human." In this book he uses the phrase *matter and force*, not *mind and matter* as would a materialist; he propounds that Buddha's *kamma* theory is only related to present life, giving as an example "*ayaṃdhammo sandiṭṭhiko*" ('my teaching deals with the present life') (p.51). Of the 31 realms that Burmese Buddhists traditionally accept, he accepts only two: the human world and the animal kingdom. His theory of *Lūthelūhpyit* was formulated from two theories: *upādāna* (clinging to) theory and Darwin's theory of evolution. He combines these to explain the following: a human clings only to human, not animal; therefore he must be reborn as a human after death by force of this clinging. According to Darwin's theory, human is descended from ape; human is the last stage of ape; the stage of human will never return to the stage of ape just as gold will never return to its original stage of being a lump of earth. In the book he urges people not to become entangled in the bondage of religions through hope of heaven or fear of hell. No scientist has ever searched for the life between death and birth, he points out. We need neither expect nor fear, fretting over our future life; rather we should focus on the present, improving the human world and our own country (Ukkaṭṭha 1957: 301-305). It was this book that was the main subject of the two cases against him, both the 1959 case and the 1980 SSC case.

Buddha-lan:zin ('The Path of the Buddha') was published in 1953. In it Shin Ukkaṭṭha states that the Buddha's teaching is not aimed at some future life, but at one's present life; clinging to the future, *upādāna*, which he elsewhere interprets in terms of superstition and beliefs about the afterlife, should be removed. He compares the Buddha's path with the teachings of six great thinkers contemporary to the Buddha. The Buddha's path includes *ariya sīla* (noble morality), *ariya indriya-saṃvara* (noble restraint of the sense faculties), *ariya sati* (noble mindfulness), *ariya santuṭṭhī* (noble content), *pathamajjhāna samādhi* (concentration of first *jhāna*), *dutiyajjhāna samādhi* (concentration of second *jhāna*) *tatiyajjhāna samādhi* (concentration of third *jhāna*) and *catutthajjhāna samādhi* (concentration of fourth *jhāna*). He urges that "like a Buddha who has attained Buddhahood at the foot of the Bayan tree by contemplating those paths, you also should practise and follow the Buddha's path. "

Lūthā nē. myelwā ('The Earth and Man') is a translation of a series of articles written for the *New Times of Moscow* in 1950 by an M. Ilyin, and published in English as *The Earth and Man* in Bombay in 1951. Shin Ukkaṭṭha made his translation in 1954 and

it was printed in 1961. The author (M. Ilyin) praises the Communism of the Soviet Union and denounces the capitalism of the USA. Ilyin claims that the Soviet Union has an abundance of food whilst the USA faces famine. The book includes a discussion about the need to reduce the human population. At the time, the global population was 2,200 million. The book's theory was that the world can serve 900 million people at most, and that the earth should be in balance with the human population. Shin Ukkatṭha did not make any comment on the text, not even writing a foreword or Introduction for it, simply translating it into Burmese. However, the fact that he chose it for translation is indicative of his political affiliations at the time.

Brahmayācanakathā pyassanā ('The Question of the Request of Brahma') was published in 1955. It is an answer to a question that U Nu posed to the Sangha at the Sixth Council. U Nu had said that he had heard that after his enlightenment the Buddha felt disinclined to preach *dhamma* to the people due to the *dhamma*'s subtlety and how difficult it was for people to understand it; he only began to preach it when the god Brahma came and ask him to. U Nu asked if this account was true. In this book, Shin Ukkatṭha answered the question on behalf of the Sangha. He wrote, "it is not Buddha's teaching. The Buddha never taught like that. It is a fabricated story created by conservative Sinhalese monks" (Ukkatṭha 1955: 45). This book contains 109 pages, and refutes this story and other related teachings found in the commentaries. It is not the only book in which he rejects the validity of the commentaries.

Anatta-yaung-gyī ('The Light of Non-soul') was published in 1962. It is about *Anattalakkhaṇa Sutta* (The Discourse of Non-soul). It discusses a view found in Brahmanism, contemporary to the Buddha, which accepted the existence of the soul.

Buddha-hmat-kyauk ('The Criteria of the Buddha') printed in 1963 describes the criteria by which he tests whether a teaching is true. The book is in two parts: in the first he explains the six qualities of *dhamma*, especially *sandiṭṭhika* ('result seen in present'), *ehi-passika* ('come and see') and *akālika* ('results happen immediately'), with which one can challenge the teachings of others. The second part details the ten criteria given in the *Kesamutti Sutta*, such as, "don't believe hearsay, and don't believe tradition."

Kyaik-yāywe:chè lan: ne twè ('Choose Alternative Routes/Twin Paths'), the second edition of which has only just published been, in 2013, is about meat-eating and vegetarianism. I have not been able to find a record of the first date of

publication, although we know it must have been after 1958 when an English version that predated the Burmese version was published in India under the title *Twin Paths* in Lucknow in 1958. However, I have not managed to find the English version. In this book, Shin Ukkatṭha encourages people to follow a vegetarian diet instead of eating meat, thus reflecting a tendency in global Buddhism that emerged from the end of the 19th century, and perhaps showing the influence of his time in India. As discussed above, in the context of his debate in India regarding the Buddha's compassion, the Buddha is described in the Pali canon as allowing his disciples to eat meat, except for that from ten specific animals: human, dog, horse, elephant, leopard, tiger, lion, bear, hyenas and snake. Despite this, some Burmese monks encourage vegetarianism and people greatly respect monks who practise vegetarianism. Their theory is that as long as there is a meat eater, there will be an animal killer, and so to protect animals from being killed, one should practise vegetarianism. This is a consequentialist interpretation of eating, which contrasts with the pragmatic attitude found in the early canon, where the emphases were on not being a burden to society and not being personally polluted by the intention to kill. The more consequentialist approach, namely that to eat meat is to create a market for the killing of animals, is found within relatively early Mahayana *sūtras* (Kong 2014), but its broader appeal in Theravada appears to have only emerged in the 19th century. Possibly the most important contribution to this awareness in Burma was Ledi Sayadaw, who encouraged Burmese people not to eat cow meat in order to save the lives of the cows. This was also in part an anticolonial protest.⁸⁴ In his book, Shin Ukkatṭha claimed that the Buddha himself was a vegetarian, which is a belief based on the aforementioned Mahāyāna *sūtras* and found within East Asian Buddhism (Ukkatṭha 2013: 58) By contrast, Theravada ascribes the Buddha's death to the consumption of pork. Shin Ukkatṭha describes nine differences in behavior between meat-eaters and vegetarians. For example, a meat-eater drinks water with their lip, while a vegetarian drinks with their mouth; the former does not sweat when tired while the latter does sweat. He continues that meat is a cause of disease in the body and makes the body impure, and that when a person

⁸⁴ More recently there was also a famous monk, Thaminnya Sayadaw, who passed away a decade ago, who encouraged and practised vegetarianism. He lived in a remote area in Kayin State, but was famous nationwide. Hundreds of thousands of people from throughout Burma visited his monastery to see him, and he would daily serve all of his visitors with pure vegetarian food.

does not eat meat, his body and mind become so pure as to allow him to practise the '37 factors of enlightenment', referring to a standard formulation of the Theravada spiritual path. His claims were in part based on medical texts that he had read. He wrote, "A pound of beef contains 14 grams of uric acid, and a pound of cow liver 19 grams; this can transmit several diseases to the beef eater", quoting from a medical doctor, Dr Heagh, as well as other medical experts (Ukkaṭṭha 2013: 29).

Tan-pyan-pakāsaniya ('A Response to the *Pakāsaniya*') was written in 1966 as a response to the *pakāsaniya kamma* enacted against him. It is unpublished, existing only in typewritten form. On the basis of canonical evidence he argues that the *pakāsaniya kamma* was prescribed solely for Devadatta in Rājagaha, and was never used for other monks nor in other cities. He quoted this passage as evidence *tena hi bhikkhave sangho devadattassa rājagahe pakāsaniyaṃ kammaṃ karotu*: Oh monks, let the Sangha make *pakāsaniya kamma* for Devadatta in Rajagaha. (Ukkaṭṭha 1966: 6). In the 2474 years since Devadatta's case, not a single monk faced the action until 1935, when it was used against Shin Ādiccavaṃsa, as mentioned above, and 1959, when it was brought against him. He did not regard the action as a legal process. In this book he persisted with the position that was the cause of the adverse attention against him, his view that one who dies as a human will be reborn as a human.

Buddha-sā-gyun-daw ('Buddha Bulletin') was printed in 1961. I have already discussed the second part of this book, which is his short autobiography. The first section emphasizes the criteria, according to the *Kālāma Sutta*, for accepting a teaching (*dhamma*) as valid. It discusses the six qualities of *dhamma*, the eightfold noble path and mindfulness. He claimed that the Buddha's genuine theory was *paccuppanna kamma vāda* ('the view on the present'), but that 200 years after Buddha's demise, theories about the past and future were added. He quoted *Bhaddekaratta Sutta* which mentions, "don't worry, thinking about the past and don't worry, expecting for the future." (Ukkaṭṭha 1961: 4). He concluded this book with the Buddha's last message (or 'bulletin'), "*Appamādena sampādettha*" ('strive diligently with mindfulness'). (Ukkaṭṭha 1961: 80). This book, because of its rejection of some canonical teachings, is one of the 67 items including books, tapes, journals and bulletins that in 1981, as part of the process of the Vinicchaya, came under particular scrutiny.

Aswe-pyut-tè:-gok-nan:-daw ('A Tent Can be a Palace If One Can Remove Superstition') was published in 1963. In this book he encourages people to give up superstition, traditional beliefs, astrology, and the belief in omens, signs, gods, heaven and hell. He thinks that people are poorer due to these beliefs, which prevent them from working hard. He urges people to eradicate these beliefs so that Burma can develop and become a modern Socialist country. This book was published immediately after the military coup, when the Burmese government and Burmese people were trying to move towards making Burma a Socialist country. This book and his next, which was on a related theme, form a pair. They both fit in with a view prevalent among educated Burmese at the time, one shared by Ne Win.

Athin lūthā: bā hmā: ne lè: ('Man, What Is Wrong With You?'), printed in 1964, is based on *paṭiccasamuppāda* (dependent origination) and the *Anattalakkhaṇa Sutta* (the discourse of non-soul). The main theme of this book is on how to remove *upādāna*, literally 'clinging', by which he means superstition and the belief in *atta* (the soul). He criticises people for worshipping the traditional *nats*, the spirits or gods of Burmese religion. He also criticises the involvement of monks in funeral services, chanting and sharing merit. He points out that Buddhists claim that theirs is the only religion which does not accept the existence of either the soul or God, but that in practice they worship many gods for the benefit of their souls, even more than the followers of other religions. This work very much fits in with attempts at the time to discourage the worship of gods. Ne Win had recently canceled the building of an important shrine to *nats*.

I hope that the summary I have provided here of a selection of Shin Ukkatṭha's writings illustrates some of the views, approaches and skills that I have outlined in this biographical chapter. These works display his Buddhist views, his emphasis on a "this-life" pragmatism and his willingness to revise and reject canonical texts. They reflect his response to other religions – his keenness to spread information on comparative religions while at the same time rejecting the supposed superiority of Christianity. They reflect his political leanings, towards communism, and his nationalism: his desire for the Burmese to reject what he saw as backward ways of thinking in order to build up the country. The writings show his conviction that his views were right, coming as they had from years of scrutiny and reflection, and also show that he was not afraid of repeating them even when the Sangha hierarchy

condemned them. When we look at the timing of his publications, we see how much they reflect his engagement with issues current at the time, whether the issue was defending Buddhism against Christian missionizing, or galvanizing the people of the newly independent Burma into pursuing a Buddhist modernism and socialism that would make Burma thrive. In his works are displayed not only great erudition in Buddhist texts, but also in-depth knowledge of the history of other religions, and of political writing, as well as mastery of several languages.

Conclusion

In Chapter One I had explored the history of the regulation of the Sangha and the attendant literature in Theravada Buddhism, observing how this developed in the late Konbaung, British colonial and early Independence periods. This gave the broader context for understanding the situation of the Sangha and Sangha regulation in which Shin Ukkatṭha's trials would take place in Burma. Knowledge of the texts explored there would also inform Shin Ukkatṭha's response to attempts the Sangha hierarchy to admonish him.

In this chapter I turned from that broad context to examine Shin Ukkatṭha's life and the influences on him. This allowed us to see how he was shaped by his own more specific experiences. We can see how he responded to the traditional place of the Sangha in Burma, to British colonial rule, to the political and economic developments taking place as well as to the ways in which Buddhism was being explored and tested. We can then understand his role after his return from India, his significance in Burma and how he came to be so productive, articulate and outspoken. We can also see the models for his development elsewhere in the Buddhist world at the period, particularly in the networks centred on India. Understanding all this will help us see how it was that he came to be at odds with the more conservative wing of the Burmese Sangha hierarchy, and why it was that he neither would nor could relinquish the ideas he had developed over the course of his experiences. In the next chapter I shall turn to post-Independence era in Burma, to examine why and how the state sought to create a centralized authority for disciplining the Sangha. I shall then examine in detail how that centralized authority responded to non-confirmist practices and teachings, including those of Shin Ukkatṭha.

Chapter Three:

The Groupings, the Committee, the Cases

The Development of Ne Win's Approach to Buddhism

U Nu's efforts to make Buddhism the state religion caused anxiety among Burma's non-Buddhist minorities and led non-Buddhist students to demonstrate at Aung San's tomb, calling on him to preserve Aung San's "vision of united and secular Burma" (Charney 2009: 103). Despite U Nu's promise to representatives of organisations of other religious traditions to maintain freedom of religion, the State Religion Act *naing ngan daw bhāthā et upade* was made law on 26 August 1961. An escalation in religious violence followed (Charney 2009: 102-4).⁸⁵ This added to concerns on the part of the military that U Nu was considering making dangerous concessions to ethnic minorities that would amount to greater autonomy from the central government. At the same time, U Nu's efforts to continue the kind of economic success witnessed during the brief period of military control of 1958-60 backfired, leading to massive price increases. Fearing the disintegration of the country, and seeking to restore economic stability, the military, led by Ne Win, staged a coup on 2 March 1962, installing the "Revolutionary Council" *taw lan ye: kaung sī* as government. The Revolutionary Council advocated national unity, freedom of religion, and a new socialist economy (Charney 2009: 105-9).

Many members of the new government were Buddhist and, in contrast to U Nu's favouring of the *Thudhammā*, there was a tendency for members of the military to be supportive of the more strictly *vinaya*-oriented *Shwegyin Gaing* (Charney 2009:

⁸⁵ This violence included anti-Muslim violence on the part of monks, a theme that would reemerge with the eventual relaxation of military rule from 2012 onwards. This would eventually lead to the establishment of the *new law* in 2015. The '969' movement (since 2012), led by prominent monks including Wirathu and Wimala has been particularly vocal in its extremist rhetoric, including making wild claims of a Muslim plot to take over the country, jihadi infiltrators and of schemes to pay Muslims for marrying and converting Buddhist women. It also encourages Buddhists to boycott Muslim businesses, and has been a leading voice for the adoption of a law to restrict inter-faith marriage (International Crisis Group 2013: 17). The four 'Race and Religion Protection Laws' were newly adopted in Burma in August 2015, i.e. Monogamy Law, Religious Conversion Law, Interfaith Marriage Law and Population Control Law (<http://www.loc.gov/law/foreign-news/article/burma-four-race-and-religion-protection-laws-adopted/>). The reason for pandering to Buddhist extremists on the part of politicians is the search for mandate in a country where an estimated 90% of the population is Buddhist.

116, citing also Wiant 1991). However, this was not simply another example of a new government siding with the monastic opponents to the previous government, a pattern observed by Crosby (2004) in Sri Lanka and which also occurred in Burmese history. As Charney has observed,

[T]he Burmese military had a long tradition of favouring the separation of politics and religion....The Revolutionary Council thus expressed its belief in freedom of religion and promised not to privilege one religion over the other... [E]arly measures taken by the Council included the freezing of state funds intended for the construction of *nat*⁸⁶ shrines in Mandalay and Rangoon, the suspension of the printing and distribution by the government of Buddhist texts, drastic reductions in the broadcast of Buddhist sermons on state radio, and the abolition of the Buddha Sasana Council. (Charney 2009: 116-7; see also Taylor 2015: 278).

There were other reasons for Ne Win's discouragement of Buddhism in the early days. He was concerned that non-rational beliefs and excessive donations to the Sangha trapped Burmese in poverty. In Ne Win's first Independence Day broadcast, he advised people against making extravagant donations to the Sangha. (Taylor 2015: 275). Such views were not confined to the military, and were even shared by some monks, Shin Ukkaṭṭha among them.

At the time of the military coup Shin Ukkaṭṭha was on bail. He had been arrested in Taungdwingyi and sent to prison in Yangon in August 1959. His case Number was 1442/59. He had been in cell 8 of Yangon prison for over 10 months, but was then released on bail while he continued to be investigated (Ukkaṭṭha 1966: 72). However, various policies on the part of the new military government from 1962 were to alter Shin Ukkaṭṭha's fate. Firstly, the Buddha Sasana Council was abolished in 1962 by the Revolutionary Council. It had been the highest Sangha body, set up by U Nu, with the

⁸⁶ *Nat* is a spiritual being in which Burmese people traditionally believe. The people believe that the *nat* can guard and protect them from any danger and difficulty and can also help them be better off. Shwenyaungbin Bo Bo Gyi in Yangon and Mandalay Bo Bo Gyi at Mandalay Hill are among them. An example of a common *nat* practice is that after buying cars, people usually first of all show their cars to the Bo Bo Gyi in Yangon and Mandalay in order to obtain their help and protection from them.

authority to purify and discipline the Sangha. Its decisions were followed up through the country's law-enforcement mechanisms. Suddenly, the highest Sangha organization lost the mechanisms to have its decisions enforced. Then, the following year, on 1 April 1963,⁸⁷ Ne Win announced a General Amnesty. In a speech to the Central Security and Affairs Committee the following day, Ne Win, "explained that the General Amnesty Act ... was designed out of a desire to unite the entire country. By annulling all crimes and illegal acts, other than rape and murder, committed prior to the order, not only by insurgents but also including corrupt acts by civil servants, the intention was to start afresh, abandoning old views and working with a greater sense of responsibility in the future. ... However, those caught violating the law in the future would be dealt with more severely. The B-class prisons of the past were to be abolished and a much harsher regime would apply in the future." (Taylor 2015: 279).

Although this promise of a harsher regime to follow presaged a dark future for monastic and other freedoms, Shin Ukkatṭha was included in the Pardon (Myat Saing 1984: 82). According to Ukkatṭha, the pardon included not only those already convicted but those, like himself, who had been on trial for over four years (Ukkatṭha 1966: 94).⁸⁸

Disregarding the Revolutionary Council's pardon, the state *ovādācariya* monks *naing ngan daw aw:wādāsariya sayadaws*, the state *vinayadhara* monks *naing ngan daw vini:do sayadaws* and the organization of the Abbots *kyaung:daing phon:gyi: apwe.gyok sayadaws* continued with their investigation of Shin Ukkatṭha and later that year, on 10 July 1963, they took a formal action, the *pakāsaniyakamma* (see Chapter One and Two) against him (Myat Saing 1984:84, Ukkatṭha 1966: 84). According to Sayadaw Paṇḍita (personal communication 9 October 2015), the first two of these three groups were the organisations of those monks who had participated in the Sixth Council (see Chapter One): in accordance with the Vinicchaya Act, the seniormost monks were awarded the title of state *ovādācariya* monks. The third group is a self-organised

⁸⁷ Maung Aung Myoe (2011: 75) and Taylor *ibid.* describe the Revolutionary Council's amnesty order of 1st April 1963.

⁸⁸ The fourth set of peace talks took place in 1963-64 under the Revolutionary Council (RC) led by the 1962 coup leader, Gen. Ne Win, and followed a split in the Karen National Union (KNU). Ne Win personally wrote to armed opposition group leaders and declared a general amnesty (Win Min Zaw Oo and Win Min 2007: 9). Ne Win granted an amnesty to prisoners connected with religious events. He also allowed widespread use of torture (Michael Gravers 1993: 66).

grouping of temple abbots, nothing to do with the government. We may conjecture that for the government to support the monastic hierarchy in this matter, even if it had interested them, would have undermined its then policy of national unity. Notwithstanding the seniority and representative nature of this coalition of monks, the Revolutionary Council remained aloof from their proceedings (Myat Saing 1984: 85). Therefore, even though the *pakāsaniyakamma* was supported by the monastic hierarchy nationwide, the Sangha could not have Shin Ukkatṭha defrocked or driven away (as had been done to Devadatta in the original *pakāsaniyakamma*, see Chapter One) (Religious Affairs 2005: 3).

Not only was the Ne Win government uninterested in the case, but, in 1965 it abolished the Vinicchaya Act *vi-neit-saya upade* that had come into legislation immediately after independence, in 1949. This move was in fact part of the new government's attempts to exert direct control over the Sangha (Charney 2009: 119, see below). It left the Sangha hierarchy without state support and was thus only able to deal with *vinaya* transgressions, each *gaing* (lineage, see below) within its own lineage and mechanisms. While the state was interested in control, taking action to punish monks who made political statements critical of it, it was unwilling to support the Sangha in its regulation of *sāsana*-related matters. No cases of *dhamma* versus *adhamma* would be resolved until the establishment of the State *Sanghamahanayaka* Committee in 1980, to which we shall return below.

Shin Ukkatṭha went on to write about these experiences, vindicating his liberation, in a work published in 1966 (Ukkatṭha 1966). His optimism for the new government and its promised socialist policies, which it had by that point announced and begun to devise, can be seen in another publication, one published the year following the amnesty, '*Oh Man! What is wrong with you?*' *Athin lū thā: bā hmā: ne thalè: .* In it he provides an interpretation of socialism in terms of Buddhist doctrine, urging,

Oh man, why are you sleeping? Wake up, the sun of non-self and socialist have risen up; O man, look at your mistakes, destroy the wrong things in time and move towards the goal of non-self and socialist by means of human energy. (Ukkatṭha 1964: 45)

This support of the new government's stated economic policy was no opportunist response to his release. It reflected his long-standing rejection of capitalism and his concern for the uplifting of the poor. Ukkatṭha compared privatization or capitalism with *attavāda* and nationalization or socialism with *anattavāda* (Ukkatṭha 1964:83). In early Buddhist doctrine the teaching of *anattavāda*, or no-self, is part of the emphasis on impermanence. It rejects eternalistic theories that had begun to emerge in other Indian religious traditions by the middle of the 1st millennium BCE, which sought to identify an eternal, unchanging entity within us that transcends death. In Buddhism, it is taught that *attavāda*, the doctrine that there is such an eternal entity, is a false view, one that causes suffering not just for the individual in terms of their soteriological development, but also for others: the belief that "This is I" (*ahaṃkāra*), or egotism, and "This is mine" (*mamakāra*) or selfishness is a cause of both internal and external conflict. It was therefore possible for Ukkatṭha to see capitalism, with its focus on personal gain, as *attavāda*. The devastating impact of capitalism on the majority of Burmese during both the British and the U Nu eras, leading to massive income differentials between rich and poor, seemed to confirm it as a cause of suffering (*dukkha*).⁸⁹ Ukkatṭha was therefore supportive of the military government and wrote, "Let's welcome the Burmese socialist government (*anattavāda*) after leaving the capitalism (*attavāda*) in order to march towards a new developing country." (Ukkatṭha 1964:83). Thus Shin Ukkatṭha's opposition to capitalism, now expressed as an interest in Socialism, had withstood the earlier anti-Communist government campaigns that had drawn on rural Burmese concern for Buddhism by declaring that Communism was its enemy. At this stage, the Burmese Communist Party's assassination of monks and destruction of temples was yet to come, several years in the future, in the late 1960s, inspired by the commencement of the Cultural Revolution in China in 1966 (Charney 2009: 125).

In 1962, the new military government's position in relation to Communism was in fact unclear, and many observers, both internal and international, were left

⁸⁹ In fact, the too speedy nationalization of Burma implemented by the Revolutionary Council, despite the warnings of Nikita Krushchev, First Secretary of the Communist Party of the Soviet Union from 1953-1964, advising Ne Win not to follow the Soviet Union's earlier error (Taylor 2015: 272), along with other over-radical policies, exacerbated Burma's poverty further, and ultimately led to an extreme rich-poor divide, with a minority of the families of the military leadership becoming the rich capitalists.

guessing. In a meeting with U Saw Oo and U Chit Hlaing in the first days after the coup, Ne Win revealed that a conscious decision had been made that it would distance itself from the earlier military, caretaker government's 1958-60 anti-Communist propaganda,

“[We] have to modify the anti-Communist lectures and literature we had produced during the period of psychological warfare” for they were “planning to establish a leftist political system.” (Taylor 2015: 260-261).

Many of the steps taken by U Nu to establish Buddhism as the national religion were undone within a year of the coup. Nonetheless, despite the military government's harsh suppression of Communist-inspired criticism, such as the violent crackdown of student protests in July 1962⁹⁰, Communist-leaning Buddhists such as Ukkatṭha finally seemed to have a government with which they had shared interests (Taylor 2015: 266, Thaung Htun 1995: 3, Aye Kyaw 1993: 84, Vince Boudreau 2004: 37-39, 50-51).

Ne Win believed that “Buddhist monks and other religious figures should constrain their activities and avoid politics.” (Taylor 2015: 262). Initially he also attempted to extricate the government's close involvement in Buddhism further, in ways that may be seen as disempowering of the Sangha. He ended the use of Buddhist monasteries as schools for lay children, at which monks had taught secular subjects alongside religion (Taylor 2015: 278). This educational system went back to the British. They had sought to harness Burma's longstanding monastic education system, which had provided Burma with an enviable level of literacy, to develop universal, secular education. This policy largely failed because of cultural resistance to the secularisation and commercialisation of the Sangha that it was thought to entail (Turner 2014). However, under U Nu the policy had been developed further and the World Buddhist University, *Kaba Buddha Tekkatho*, which provided education in English to support international Buddhist missionary activity, was established. This too was closed under Ne Win (Taylor 2015: 278). This development suited the anti-secularisation and anti-English position held by the majority of the Sangha, but contributed to the diminishing international profile of Burmese Buddhist monks,

⁹⁰ This included the destruction of the symbolically important Union building on 8 July 1962.

while the lay Vipassanā movement spread globally.⁹¹ It also exposed Anglophone monks such as Ukkaṭṭha as outsiders to the majority who rejected the learning and use of English.

While some monks were supportive of the military government, many were vociferous in their criticism of the government's policies. Robert Taylor records,

“According to *Botataung*, U Thein Pe Myint's newspaper, 10,000 monks attended an anti-Revolutionary Council rally, where a leading monk, U Kethaya ... predicted Ne Win would be assassinated because of his attachment to Communism.” (Taylor 2015: 288, citing Smith 1965).

The Revolutionary Council was therefore unable to sustain its policy of non-interference in monastic affairs. Its first attempts to bring the Sangha under government control led to embarrassing retreats.⁹² For example, Ne Win attempted to reintroduce a pan-Buddhist organisation, the Buddha Sasana Sangha Organisation *Buddha Thāthana Thanga Apwe* (BSSO). An order was made that all Buddhist organisations were to register with it, but Ne Win was quickly forced to reverse the order (Charney 2009: 117).

The Meeting held at Hmawbi in 1965 to draft the new organisation's constitution was well attended, with over 2,000 monks from different *gaing*. The Hwawbi Sangha Meeting was held in Hwawbi's Saik Pyo: Ye: U Yin (agricultural garden) on 17-19 March 1965. The conference drew a draft Sangha Reform Act in connection that included:

- 1) organising the Sangha (in order for the Sangha to supervise each other in accordance with disciplinary rules)
- 2) forming the Vinicchaya (to solve the disputes and cases in accordance with *vinaya*) and

⁹¹ Other factors contributed to the gradual disappearance of Burmese monasticism in the wider region. See Choompolpaisal 2013 for the closure of the Burmese temple in Bangkok's Ban Tawai district, for example.

⁹² The government also backed down on a plan to bring pagodas under the archaeology department in 1963 (Taylor 2015: 288, citing Smith 1965).

3) introducing the registration cards for monks, novices and nuns (to apparently differentiate between real monks and fake monks for example).

The draft was completely rejected by the Sangha throughout Burma, thus it could not be made law (U Maung Maung 1981: 175, Religious Affairs 1980: 5-6). In fact, the proposal that monks would be obliged to carry identity cards led to a violent uprising amongst them (Charney 2009: 119). Almost 1,000 monks were arrested, and the government backed down on enforcing registration. Charney points out, however, that this was “only a temporary reprieve” in the military government’s attempts to exert direct control over the Sangha (Charney 2009: 120). A decade later, in 1974 monks joined with students in taking possession of and holding a vigil over the body of former United Nations General Secretary U Thant. This, following earlier worker and student protests, was taken as a direct provocation of a struggling government and was met with the declaration of martial law, leading to the U Thant riots in December 1974 (Taylor 2015: 433-435). The involvement of monks in these developments may have contributed to Ne Win’s revived attempts to bring the monks under state control, although Robert Taylor is critical of this suggestion (Taylor 2015: 511 note 32, responding to Jordt 2007: 180).⁹³

What we shall see with Ne Win is a gradual change in his approach to Buddhism and the Sangha. In the earliest phase of Ne Win's military government, the major focus of the state was on the economy, education and politics, and – reflecting the broad approach of the military – matters of religion were initially disregarded. However, religion itself, especially Buddhism, played such a major role in the country

⁹³ Charney also links monastic involvement in the U Thant riots in December 1974 with Ne Win’s attempts to bring the monks under state control (Charney 2009: 139). While useful for the details of Ne Win’s life, Taylor’s work is of limited use for information about Buddhism, about which he seems to be ill-informed. For example, of a trip of the royal family of the largely Hindu country of Nepal to Burma, hosted by Ne Win, Taylor writes, “The Visit presumably was of greater religious than political significance, as the Buddha had been born in what is now the Lumbini region of Nepal and most of the population of Nepal, like the Lao, Cambodians, Thai, Sri Lankans and Burmese, *are followers of Theravada Buddhism.*” (my emphasis added). While Theravada Buddhism is on the rise in Nepal, this is a result of missionary activity, including from Burma, mainly among Buddhists, not the majority Hindus. Traditional Buddhism in Nepal is of two kinds, both Vajrayana: the Sanskrit-oriented Newar Buddhism of the Newar ethnic group in the Kathmandu valley and the Tibetan-oriented Tibetan Buddhism found throughout Nepal. It is true, however, that the King of Nepal donated a hair relic (a hair strand, not a “hairstand”, Taylor 2015: 470), during his visit. Taylor *ibid*, citing Aung Khin 1981: 104.

that it was intertwined with these issues. Ne Win realised that the Sangha had the power to affect his secular state. His initial response was to attempt to weaken the power of different Sangha factions. He did this by initiating the reform of Buddhism in order to be able to control high-ranking Buddhist monks and, through them, the monks under them. The reform was to ensure that the centralized Sangha and devout Buddhist groups were politically disengaged. He sought to establish a single regulatory body (what would become the State Saṅghamahānāyaka Committee (SSC). This body was to regulate such matters as monastic curricula and examinations, the registration of all monks, novices and nuns and matters of *vinaya* and *dhamma* divergence. At the same time, his reform also targeted influential monks who gained a large amount of support from politically influential donors. For example, the monk U Parama, the abbot of Mount Poppa, was forced to disrobe in c.1982. Whereas pre-colonial rulers had been in part motivated by the possibility of gaining monastic lands and men for the army, Ne Win's concern was more with ensuring that the large body of monks could not act as a voice to oppose his policies.

It seems likely that, in his repeated efforts to set up a body to oversee the Sangha, that Ne Win had in mind the model of his senior contemporary, Field Marshal Sarit Thanarat of Thailand (1908-1963, in office 1958-1963), who led the successful Thai coups of 1957 and 1958, instituting himself as the head of an authoritarian military government. Like Ne Win and other members of the Burmese military, Sarit regarded democracy as a failed model for Southeast Asia. Sarit promoted the famous slogan "Nation, Religion, King", arranged for King Bhumipol to attend Buddhist ceremonies and saw the potential of the Sangha as a unifying force in Thailand. He also saw it as a potential means for the representation of dissenting voices, so, just as he suppressed all opposition and the independent Press, Sarit turned his attention to the Sangha. The 1942 Sangha act had reflected democratic changes to the country, and Sarit therefore brought in the 1962 Sangha Act that removed democratic elements and brought the entire Sangha under the regulation of Council of Elders (Mahatherasamakom) under a Supreme Patriarch (Sangharat) who has supreme authority of the government of the Sangha and can appoint and dismiss members of the Mahatherasamakom. The Mahatherasamakom was closely tied into and thus under the control of the Department of Religious Affairs within the Ministry of Education (Suksamram 1982: 44-51). In several ways, including its regional

representation, we can see the Mahatherasamakom as the model for the State Sanghamahānāyaka Committee that was eventually established in Burma.

The continued existence of the monarchy in Thailand in the figure of the king (King Bhumipol), with whom Sarit had a close relationship, and the parallel office of Sangharat (Supreme Patriarch) in the Sangha may have made it easier for Sarit to establish such a single oversight committee and alter the running of the Sangha. He did so on the basis of adapting existing models rather than imposing a new or interrupted system, and he did so with extensive support from the Thai Sangha hierarchy wanting to impose control over disparate voices within the Sangha. In contrast, in Burma, the British occupation has disrupted the previous office of *thathanabaing* (Supreme Patriarch) and the Thudhammā Council set up during the Konbaung Dynasty. A significant number of the Sangha remembered the relative autonomy they had under the British and resisted a unified governing body and such things as ID cards when Ne Win first attempted to set it up. On the other hand, the reaction to British colonialism in terms of the feared decline of the *sāsana* and emphasis on preserving Buddhist belief meant that, once established, doctrine, *dhamma*, and not only monastic discipline, *vinaya*, came under the remit of the State Sanghamahānāyaka Committee of Burma. In Thailand resistance to assessing monastic belief in relation to membership of the Sangha was shown early on by the monk Phimonlatham, who refused to make Communist sympathy a bar to ordination. There was a strong backlash against Phimonlatham's subsequent persecution, disrobing and imprisonment (Choompolpaisal 2011: Chapter 8; on persecution practice *ibid.* p.272ff.).⁹⁴ One consequence of this is that in Thailand, when the authorities wish to defrock a powerful monk, they go to great effort to determine a *pārājika* infringement, whereas the authorities in Burma find it easier to defrock monks (as we shall see further below).

It was in 1979, that Ne Win finally realized his ambition of setting up of a single monastic organization, which would be called the State Sanghamahānāyaka Committee (SSC), to oversee the entire Sangha. Thus it seems much later than Sarit's

⁹⁴ Choompolpaisal 2011 (mainly Chapter 8) has shown that Phimonlatham's persecution was connected with rivalry among senior monks who used the Communism label against him. They were able to do so because the CIA had funded Sarit's coup, making defense against Communism a frequent label for the crushing of opposition at many levels.

changes to Thai Sangha administration, but is less so when we remember that he sought and failed to realize this in 1965. In setting up the SSC successfully, Ne Win had to come full circle, from criticising of U Nu's actions and rejecting state involvement in monastic affairs, to taking on the traditional mantle of the kingly patron and protector of Buddhism (Charney 2009: 139-40). In the process, he even drew on U Nu's help, with U Nu returning from exile to head up one of the new government supported monastic activities, the Tipiṭaka Translation Society.

To project the idea of being a pious Buddhist leader, a *dharmarāja*, Ne Win backed up his rhetoric of purification in his establishment of the SSC, by engaging in other religious activities such as organizing the construction of the Mahāvijaya (Mahāwizaya) Pagoda next to the world-famous Shwedagon Pagoda. In this manner he presented the person of a leader keen to to purify the Sangha, and to propagate and perpetuate Buddhism throughout the country, as is the responsibility of *dharmarāja* (Schober 2011: 82-85).

In spite of this public display of Buddhist patronage, it should be noted here that the military government was not as active in associating itself with Buddhism while Ne Win was explicitly in power. It was later, after the suppression of the 1988 uprising, and after the subsequent suppression of monks marking the anniversary of the uprising two years' later, that we see far more explicit association of the military *junta* with acts of Buddhist piety. This took place from the early 1990s onwards.

Given the initial resistance of the Sangha, and the lack of continuity due to British colonial rule, I shall examine in detail the process and make-up of State Saṅghamahānāyaka Committee (SSC)⁹⁵ that made its establishment possible. I shall also look at the sub-committees set up to run Vinicchaya cases. I shall then provide an overview of 16 of the 17 *Vinicchaya* cases that the SSC has tried to date, as well as a fuller representation of Shin Ukkatṭha's case, which was only the second of them.

Gaing (Ordination Lineages) and their representation on the State Saṅghamahānāyaka Committee (SSC)

In the late 1970s, the Burmese government made a number of concessions to the Sangha hierarchy. For example, it reinstated two honorary monastic titles that had been suspended since the military coup of 1962 (Taylor 2015: 470). This was part

⁹⁵ Charney 2009: 198 gives a full English translation: "Supreme Council of Abbots."

of the lead up to the creation of the State Saṅghamahānāyaka Committee (SSC), the single unifying body which, led by senior monks, would be responsible for keeping control of monks throughout the country.⁹⁶ The SSC was founded in 1980 during General Ne Win's rule with the explicit purpose of purifying, perpetuating and promoting 'orthodox' and 'orthoprax' Theravada Buddhism. The membership of the SSC is meant to be representative of the whole Sangha, throughout Burma. The next sections of this chapter will look at what that means, in terms of the make-up of the Sangha of Burma and the corresponding membership of the SSC. To examine this, I shall explain the existence of a number subdivisions of the Sangha in Burma, in the form of *gaing* or *nikāya* meaning ordination lineages, some of which are formally recognised by the government and some of which are not. To do this, I must first explain the usage of these terms, particularly the term *gaing*, which is distinctive to Burma. Referring to the difficulty of applying the understanding of the terms *gaṇa* and *nikāya* in Indological scholarship to Burma, Mendelson writes, "a task well worth performing would be to document more carefully the linguistic usage of such key Pali terms as *gaṇa* and *nikaya*, which seem to be taken for granted rather than taken to pieces in this literature." (Mendelson 1975: 27). Here I attempt to make a contribution to the documentation he recommended.

The term *gaing* comes from the Pali *gaṇa*, meaning a group. The term *gaṇa* in Pali *vinaya* works either refers to a group of monks to which a rule applies in a *vinaya* context or is used in the context of a formal legal procedure of the Sangha, i.e. a *saṅghakamma*. Such a group is usually quite small in number. Throughout the Pali *vinaya* the exact meaning of *gaṇa* varies, depending on each specific context. For example, in the context of *gaṇabhojanasikkhāpada*, the rule about group collection of alms food, it refers to four or more monks (*Pācittiya pāḷi*, 101) and this number is expected for most *saṅghakamma*, monastic procedures (Bechert 1991: 514). However, in the context of an *uposatha* procedure (the fortnightly recitation of monastic rules and regulations (*pātimokkha*) by the assembled monks in a *sīmā*, a monastic boundary, see Chapter One), it refers to just two or three monks. The commentary on the *Mahāvagga* categorises the *uposatha* procedure into three kinds of *uposatha*, namely,

⁹⁶ We can see this political aspect from the SSC's position in the 1988 uprising. The SSC agreed not to allow monks to participate in the 1988 protests while in turn calling on the government to uphold the 10 kingly virtues and to concede to the demands of the people (Charney 2009: 152-3).

saṅgha-uposatha, *gaṇa-uposatha* and *puggala-uposatha*. While *saṅgha-uposatha* comprises four or more monks, and *gaṇa-uposatha* contains two or three monks, the *puggala-uposatha* is performed by only one monk (*Kaṅkhāvitaraṇī Aṭṭhakathā*, 93, 216). In Vinaya commentarial literature, *gaṇa* may be either an informal temporary grouping or a formal group, such as the residents of a particularly small monastery. However, the use of these terms in modern Theravada has evolved. In Thailand, for example, *khana* (the Thai pronunciation of *gaṇa*), refers to a semi-autonomous area or ‘house’ within a larger monastery and every monk within the monastery has a specific house, *khana* he belongs to (Crosby, personal communication 5 June 2013).

Several *gaṇa* can exist within an ordination lineage and can come together to perform a *saṅghakamma*, an ecclesiastical formal procedure, such as the group needed to perform the *pavāraṇā*.⁹⁷ We see other kinds of division as well. For example, according to Pali commentarial literature, during the Buddha’s lifetime, the monks in Kosambi split into two groups, one of *vinayadhara* (bearers of monastic disciplines) and the other of *dhammakathika* (*dhamma* preachers), over a dispute over how to use the toilet.⁹⁸ In that case, the term for the resulting groups was neither *gaṇa* nor *nikāya* (see below), but *koṭṭhāsa* (group) or *pakkha* (side/party/faction – as in opposing parties in an argument) (*Dhammapada-aṭṭhakathā*, vol 1: 34-42).

Monks under the same lineage, *nikāya*, can perform *saṅghakamma* together when they are in unity regardless of groupings. In contrast to *gaṇa* is the term *nikāya*, which literally means ‘division’.⁹⁹ It usually refers to an autonomous division of the Sangha, often translated into English as either ‘sect’ or ‘ordination lineage’. It does not occur in the canon, so is a development that had emerged by the commentarial

⁹⁷ *Pavāraṇā* means the formal invitation of monks to other monks in order to receive their admonishment in a monastic boundary. Such a formal act is taken place once a year on the full moon day of October.

⁹⁸ A *dhammakathika* monk left water in the washing jug after his use, then a *vinayadhara* monk came to the toilet and saw the water in the cup. The latter accused the former with of committing an offence, which sparked quarrelling between these two monks, and then between their large groups of individual followers. Although it is not one of the 227 *pāṭimokkha* rules for the monks, there is a rule about toilets in the *Cūlavagga*. One must not leave water in a washing jug after use. If a monk leaves it there, there is an offense. Most of minor rules in *Cūlavagga* are grounds for a *dukkata* offense. Though the offense was not serious, they even ignored the Buddha, finally dividing into two groups: a group of *vinayadhara* and a group of *dhammakathika* (*Dhammapada-aṭṭhakathā*, vol 1, 34-42).

⁹⁹ *Nikāya* “division” may also refer to a body of texts within a larger body of texts.

period, by which time we have a divided Sangha (Bechert 1991: 521). Heinz Bechert, noting translations of *nikāya* into English is scholarship as ‘sect; or ‘schools’, prefers the term ‘denomination.’ (Bechert 1991: 519). He explains that members of different *nikāya* cannot usually hold *saṅghakamma*, particularly ordination, together (Bechert *ibid*; Crosby 2014: 197). Although *nikāya* divisions in modern Theravada can only be traced back to relatively recent times (the past two centuries), similar divisions within the Sangha are thought to go back to the multiple *nikāya* which appeared within 100 years of the Buddha’s demise. Bechert explains that *nikāya* developed in response to disagreements about the interpretation of *vinaya* or *dhamma*. To avoid a full *saṅghabheda*, ‘schism’, they formed separate local Sanghas with different *sīmās*:

“Such separate Sangas, i.e. bhikkhus belonging to different *sīmās* – termed *nānāsīmāya bhikkhū* in the text – could make different decisions, but in each instance unanimously within their own *sīma* or ‘boundary’. This situation is not considered a ‘split in the Order’ (*saṅghabheda*), but a *nikāyabheda*, i.e. the formation of separate groups (*nikāya*) of monks (Bechert 1991: 521).

Buddhist historical description categorise the divisions that had emerged at that time, into 18 *nikaya* consisting of major ordination lineages, the *aṭṭhārasa nikāya* (*Vaṃsadīpanī*, 37, *Dīpawin*, 33: *Sāratthadīpanī*, vol 1, 117, Bechert 1991: 523). Over 700 years later there were three famous branches or *nikāya* in Sri Lanka, the *Mahāvihāravāsī nikāya*, the *Abhayagirivāsī nikāya* and the *Jetavanavāsī nikāya*. In the 12th century they were the subject of the unification orchestrated by King Parākramabāhu (see Chapter One). Until the unification, they did not formally join each other to perform any *saṅghakamma*. (*Vimativinodanī*, vol 1, 5: *Visuddhimaggamahāṭīkā*, vol 1, 10: *Kaṅkhāvitaraṇī-purāṇa-abhinava-ṭīkā*, 487). So far, the word ‘*nikāya*’ represented the ordination lineage:

Mahāvihāravāsīnaṃti attano aṇassayabhūtaṃ nikāyaṃ dasseti

‘the word *mahāvihāravāsīnaṃ* shows my (Buddhaghosa’s) *nikāya* which I depend on’ (*Visuddhimagga-mahā-ṭīkā*, vol 1, 10).

Mahāvihārassāti iminā nikāyantaraṃ paṭipakkhi

‘this, by the word *mahāvihārassa*, excludes other *nikāya*, i.e.

abhayagirivāsī nikāya and *jetavanavāsī nikāya*

(*Vimativinodanī*, vol 1, 5).

However, by the Burmese, the words ‘*nikāya*’ and ‘*gaṇa*’ have sometimes applied interchangeably, even when applied to those three Sri Lankan divisions, as we can see from a discussion in the 19th century Burmese text, the *Sāsanavaṃsa*:

So abhayagirigaṇo nāma dhammarucigaṇoti ca tasseva nāmaṃ
'Abhayagiri gaing is the name of dhammaruci gaing'.

So jetavanavāsigaṇo nāma sāgaliyagaṇoti ca tasseva nāmaṃ
'Jetavanavāsi gaing is the name of sāgaliya gaing'.

Tattha mahāvihāravāsigaṇoyeva eko dhammavādī ahosi
'mahāvihāravāsi gaing is only gaing of true teaching'
(*Sāsanavaṃsa* 1956, 2008: 22).

The *Sāsanavaṃsa* 'history of the teaching' is a translation by Paññāsāmi, the 3rd Maung:daung Sayadaw, who held the title '*Paññāsāmisirīkavidhaja mahādhammarājādhirājaguru*'. Translated from a Burmese original composed in 1831, the text was prepared in 1861 for Sri Lankan monks visiting in search of fresh ordination.¹⁰⁰ It emphasised the earlier purity of the Sri Lankan transmission in order to confirm the purity of Paññāsāmi's own lineage, which was descended from it, and in turn reassure the visitors from Sri Lanka (Crosby 2013: 113, citing Pranke 2004: 29).

The confused usage of these two terms for ordination lineage goes back centuries, as is shown by a text known as *Abhidhan Tīkā* (Phye 1912). The *Abhidhan Tīkā* literally means 'sub-commentary of dictionary' and is a significant Pāli grammar book written during the Pinya dynasty in 14th century by a minister, Caturaṅgabala. In it, we read that they are synonyms, "*Samaggīnaṃ samānadhānameva jantūnaṃ gaṇo nikāyo nāma, yathā bhikkhunīkāyo ti*" 'a group (*gaing*) of monks who are in harmony and whose practice is the same is called *nikāya*, which means *bhikkhu-nikāya* (a group of monks)' (*Abhidhan Tīkā*, Phye 1912: 631).

¹⁰⁰ The Burmese original is *Thāthanālīnkāra sādan*: written by the ex-monk of the 1st Maung:daung Sayadaw, *ahmatkyi: mahādhamma than:gyan*.

Several people have noted the confusion of the terms *gaing* and *nikāya* in Burma, including Mendelson who preferred to use the term ‘factions’ for the different divisions of the Sangha in Burma, while in turn pointing out that there could be further divisions within individual *gaings* (Mendelson 1975: 27-28). Carbine points out that to this day *gaing* and *nikāya* may be used interchangeably by Burmese monks when referring to an ordination lineage (Carbine 2011:78). The preference of most Burmese monks and laypersons is to use *gaing* rather than *nikāya* such as in *Shwegyin gaing* and *Ngettwi gaing* for example. It seems that the use of the term *gaing*, while nonetheless sometimes referring to divisions that in present day Sri Lanka would be named as *nikāya*, avoids giving the impression of there being any splits in the Sangha of the sort that existed in 12th-century Sri Lanka. Burmese ordination lineages are thought to warrant the term *gaing* rather than *nikāya* in order to convey the impression that these *gaings* are within the same Theravāda practices, with nothing deviating from Theravāda canonical texts. This allows those forming new *gaing* not to commit the sin of splitting the Sangha and allows all to claim that they only differ in minor points in the practical application on *vinaya*. An additional reason for the use of *gaing* where other countries use *nikāya* is that in Burma the term *nikāya* is also to differentiate lineages of entirely different forms of Buddhism, beyond Theravada and outside of Burma, with fundamentally different doctrinal positions, for example between *Theravāda nikāya* and *Mahāyāna nikāya*. In contrast, *gaing* is used for smaller ordination lineages, such as *thudhammā gaing*, *shwegyin gaing* and *mūladvāra gaing*. Thus for myself, as a Burmese monk, for example, I would see *Theravāda nikāya* as including *thudhammā gaing*, *shwegyin gaing* and *mūladvāra gaing* while *Mahāyāna nikāya* comprises *zen gaing* and *vajirayāna gaing*. Furthermore, the term *nikāya* can be used to distinguish Buddhist groupings from secular ones or ones representing other kinds of religious practice. For example, there are several secular (*weitza*) *gaings* in Burma i.e. *Bo Bo Aung gaing* and *Bo Min Gaung gaing*. Therefore, it is probable that there are some monks wishing to be different from the secular *gaings* who prefer to use *nikāya* for ordination lineage.

Another feature of the term *gaing* is that it leaves open the possibility of a member of one *gaing* having authority over members of another, a situation which is essential if a single monastic body, the SSC, made up of members of different *gaing*, is to have control over all Sangha groupings in the country. In the book of “Law for

Sangha organization” issued by the State Law and Order Restoration Council, we find recorded *Shwegyin gaing*, not *Shwegyin nikāya*. This overturns or undermines the earlier history of the Shwegyin Nikāya as a separate body with its own *thathanabaing*, ‘head of the *sāsana*’, not under the governance of the earlier unified *Thudhammā Nikāya*. This therefore seems a deliberate usage, creating the impression of a unified Sangha that is important for enforcement purposes. Sometimes the two words “*nikāya*” and “*gaing*” are used together, for example in *Shwegyin nikāya gaing*, which thereby seeks to incorporate the word *nikāya*, the lineage’s own term, within the term *gaing*, important for enforcement within a unified Sangha (Law for Sangha Organization 1990: 2).

The *gaing* that exist today have only a relatively recent history as separate *gaing* under their current names. This is true for all Theravada countries. All the *nikāya* of Sri Lanka were established in the 18th century or later: *Siyam nikāya* derived from *Mahāvihāra lineage* from Thailand in 1753, *Amarapura nikāya* from Amarapura city of upper Burma in 1803 and *Rāmañña nikāya* from Rāmañña region of lower Burma in 1864. The division within Thailand and Cambodia into *Mahānikāya* and *Thammayutti nikāya* arose in the 19th century. Many *sub-nikāyas* are subordinate to the *Mahānikāya*. In Cambodia, the two *nikāya* that came about in the 19th century under the influence of Thailand remain, despite there being several further divisions between traditionalists and modernists in terms of practice. (Crosby 2014: 214). Historically in Burma since 12th century, dozens of *gaings* arose, but all of them came under the control of the *Thudhammā* monks in the late 18th century. It was during King Mindon’s reign (1852-1878) and afterwards, under the British, that a larger number of *gaings* arose, such as:

- Thudhammā gaing, သုဓမ္မာဂိုဏ်း
- Shwegyin gaing, ရွှေကျင်ဂိုဏ်း
- Dhammānudhammamahādvāra nikāya gaing, ဓမ္မာနုဓမ္မမဟာဒွါရနိကာယဂိုဏ်း
- Dhammavinayānulomamūladvāra nikāya gaing, ဓမ္မဝိနယာနုလောမမူလဒွါရ
နိကာယဂိုဏ်း
- Anaukkhyaungdvāra gaing, အနောက်ချောင်းဒွါရဂိုဏ်း
- Veluwan nikāya gaing, ဝေဠုဝန်နိကာယဂိုဏ်း
- Catubhummiamahāsatiṭṭhān ngettwin gaing, စတုဘုမ္မိကမဟာသတိပဋ္ဌာန်
ငှက်တွင်းဂိုဏ်း

- Gaṇawimote kado gaing ဂဏဝိမုတ်ကူးတို့ဂိုဏ်း and
- Dhammayutti nikāya mahāyin gaing ဓမ္မယုတ္တိနိကာယမဟာရင်ဂိုဏ်း.
- Pwe"-gyaung-gaing ပွဲကျောင်းဂိုဏ်း
- Myaing-kyaw-gaing မြိုင်ကျော်ဂိုဏ်း
- Yuan"-gaing ယွမ်းဂိုဏ်း
- Zawti gaing ဇောတိဂိုဏ်း
- Taw"-nay-gaing တောနေဂိုဏ်း¹⁰¹

In 1980, only nine of the many *Sangha gaings* came to register as state-recognized *gaings* in the pre-Sangha Meeting (see below) under the Ne Win government (the Record of Sangha Referendum 2000: 107). The whole Sangha organization throughout Burma was asked to register by 1 February 1980, but only nine *gaings* did so. As a result of the activities by the committee, a number of *gaings* registered between 22 September 1979 and 1 February 1980. There were nine of them and these were then accepted as official Sangha *gaing* according to Sangha Organisation Basic Principles section 1, No. 2 (gha) (Religious Affairs 1980: 106-107). Ever since then, only those nine Sangha *gaings* are officially recognized in Burma. Māmaka (1990: *ka-ga*) mentions that it was after careful consideration that those nine Sangha *gaings* were allowed to continue to exist by the Sangha Executive Committee on 1 February 1980 ahead of the Sangha referendum.

Recognising the individual *gaing* which had registered made it possible to hold the Sangha referendum and reform the whole Burmese Sangha organization in May 1980. The *Record of Sangha Referendum* (1980: 107) also defines *gaing* very specifically, stating, “*Gaing* means the *gaings* which were registered at the Department of Religious Affairs not later than 1st February 1980.”

I have now explained the usage of the term *gaing* in Burma, and noted its relevance to the establishment of the SSC and the holding of the 1980 referendum. In the next section I shall look in more detail at preparations for the referendum in the lead up to the establishment of the SSC.

¹⁰¹ Burmese people normally say, *Thudhammā gaing*, *Shwegyin gaing*, *Mahādvāra gaing*, *Miladvāra gaing*, *Anaukkhyaungdvāra gaing*, *Weluwan gaing*, *Ngettwi gaing*, *Kado gaing* and *Mahāyin gaing*.

Preparations for the Sangha Convention

From 15 December 1979 onwards, in anticipation of 1980's imminent convention, called the "All-*gaing*-Sangha Meeting", several members of government travelled around the country to organise an executive committee of the Sangha. This group included the minister, the deputy minister, the secretary general and other officials of the Home and Religious Ministry, which at the time was a single ministry.¹⁰² Some representatives of state and regional levels of government also went (see table 1 below). Burma is divided into 14 administrative regions with seven States and seven Divisions: Kachin State, Kayin States, Kayah State, Chin State, Mon State, Shan State, Yakhine State, Yangon Division, Mandalay Division, Sagaing Division, Magwe Division, Ayeyawadi Division, Taninthayi Division and Pegu Division. The committee visited all of the states and divisions (see table 1). The monks for the executive committee of the Sangha were to be chosen by at a convention of the country's entire Sangha (at least, all of the monks of the registered *gaing* – see previous section). The process of recruiting monks to sit on the Sangha executive committee is recorded in the *Record of Sangha Convention* (henceforth *Record*) which was published by the Department of Religious Affairs on the advisement of the minister of Home and Religious Affairs in 1980. According to the *Record's* introduction, its purpose is to be a source of reference for the organisers of such conventions in the future: it was anticipated that further conventions would be held every five years.

The conventions were indeed held every five years until 1995, but then lapsed until 2014. There was a gap of nineteen years between the fourth and the fifth different-*gaing*-Sangha convention, the fifth being held in 11-13 May 2014.¹⁰³ At each convention, the representative monks from all the various recognised *gaing* throughout Burma assembled. The religious activities of the past five years must be reported by the State Central Sangha Executive Committee (SCSEC) to the gathered assembly, which include the Vinicchaya judgements, the religious examinations and

¹⁰² The ministry was divided into two separate ministries, the Ministry of Home Affairs and the Ministry of Religious Affairs, by the State Law and Order Restoration Council (SLORC) by issuing the Notification No. (23/92) dated on 20th March 1992. (http://www.mora.gov.mm/mora_ministry1.aspx)

¹⁰³ The first different-*gaing*-Sangha Convention was held in 1980, the second in 1985, the third in 1990, the fourth in 1995 and the fifth in 2014 (<http://www.buddhistchannel.tv/index.php?id=51,11868,0,0,1,0#.Vkk2I9Cordk>, http://thanlwinriver.blogspot.co.uk/2014/05/blog-post_6616.html)

the issuing of religious registration cards, for example, (see below). Also the representative monks can propose and discuss what should be done for the sake of *sāsana*: they can add to, amend or remove items from the guidance first developed at the 1980 Convention.

Additional reasons given for publishing *the Record*, according to its introduction, were that the participants of the Convention would be able to reflect upon their good deeds, for non-participants to acquire general knowledge about the Convention, and for researchers to be able to refer to the details of the historic milestones of the Convention (*Record* 1980: 4). The *Record* was compiled by the Board of the Religious Affairs and, being over 300 pages, gives the minutes of the entire Sangha convention. The *Record* also includes photographs of the minister of the Ministry of Home and Religious Affairs, some of the selected monks, and some other lay persons.

The *Record* also contains information relating to an event that took place after the 1980 convention: a copy of the Amnesty Notification 2/80 issued by Ne Win. The amnesty applied to prisoners, especially political prisoners, and also to those rebels who chose to come under the government's administration, exchanging arms for peace. There were also a number of other prisoners to whom the amnesty was partially granted (Religious Affairs 1980: p.254). Robert Taylor describes the mood of Ne Win, who had turned 70, at this point as being one of relative optimism. He even hosted former political enemies he had included in this pardon. One beneficiary of the amnesty was U Nu who returned from 11 years' exile in India and became President of the Tipiṭaka Translation Society (Taylor 2015: 471-474). Also in 1980, the Mahāvijaya (*Mahāwizaya*) pagoda was built on the Dhammarakkhita Hill just south of the Shwedagon pagoda in Yangon, to commemorate the Sangha convention. The relics contributed by the King of Nepal were enshrined in the pagoda (Yitri 1989: 543-548).

According to the *Record*, the number of representative monks needed from each particular area was decided on the basis of the total number of monks in that area.¹⁰⁴ They might consider the areas small or large, the number of monks, a few or

¹⁰⁴ The numbers in the chart do not at first sight appear to substantiate the sense of proportionality this suggests – compare Mon State (2 from 5655) and Yakhine State (3 from 2983). This arises because Mon State is a small state of only two districts, comprising just ten towns. Yakhine State is organised into

many, and the *gaing*. Monks were selected depending on the numbers of monks in different regions and different *gaing* (see table 2 below). The result was that 66 members of the Sangha were selected from different regions (and different ordination lineages, see below) by the agreement of the monks (*bhikkhusammuti*) to form the Sangha executive committee. Thus those 66 monks represented the entire recognised Sangha of Burma (Maung Maung 1981: 177).

Ne Win, as chairman of the State Council, recommended the establishment of a monastic court in 4 August 1979 at a State Council Meeting. The proposal was to establish the monastic court to ensure that monks live in conformity with monastic rules and at which monastic disputes could be resolved by the monks who had ultimately been elected by the Sangha. The responsibility for setting this up went to the Ministry of Home and Religious Affairs. The ministry organised four sub-committees, i.e., management and financial, planning, record and request writing. The sub-committee for drawing up the plans was the same as that which toured throughout the country in order to list the monasteries, monks, novices and *gaings* from 22 September 1979 (Religious Affairs 1980: 6-7).

four districts, consisting of seventeen towns. It is also relatively more spacious than the Mon State: the numbers thus reflect the geography as well as the actual numbers in the Sangha.

Table 4: The officials who went to ask and selected monks for the Sangha executive Committee (Religious Affairs 1980: Appendix, 2 [ka])

Number of Group	Officials going to ask monks	Regions where monks lived	Date when monks invited to participate
1	Minister of the Ministry of Home and Religious Affairs (MHRA)	Yangon (Yangon Division) Mandalay (Mandalay Division) Thahton (Mon State) Mawlamyaing	15.12.1979 17.12.1979 22.12.1979 23.12.1979
2	Deputy minister of MHRA	Yangon (Yangon Division) Pegu (Pegu Division) Magwe (Magwe Division) Pakukkhu (Magwe Division)	15.12.1979 16.12.1979 19.12.1979 20.12.1979
3	Director General of the Department of Religious Affairs of MHRA	Sagaing (Sagaing Division)	18.12.1979
4	Director. ...	Sittwe (Yakhine State)	20.12.1979
5	Associated Director ...	Taunggyi (Shan State) Loikaw (Kayah State)	19.12.1979 23.12.1979
6	Deputy Director ...	Pathein (Ayeyawadi Division) Hinthada (Ayeyawadi Division)	20.12.1979 23.12.1979
7	Assistant Director 1 ...	Myitkyina (Kachin State)	20.12.1979
8	Assistant Director 2...	Phaen (Kayin State)	20.12.1979
9	Section Manager	Dawe (Taninthayi Division)	20.12.1979
10	Members of the People's Council from different regions ¹⁰⁵	Different small regions under the above States and Divisions.	Within the above periods

¹⁰⁵ Chin State is not included in the *Record*. Rather, it was included in the Sagaing Division with which it shares a border. The majority of people in the Chin State are Christian. Therefore, the population of monks numbered only 25 at that time. That is why the Chin State might be put under the neighbouring division (see table 2).

Table 5: The numbers of monks from which the 66 executive monks were selected (Religious Affairs 1980: Kha [1-12])

I did not find any sources for the detailed numbers of monks except for Thudhammā *gaing*. The total for the non-Thudhammā *gaing* is achieved by subtracting the Thudhammā total from the national total of all monks. Novices are not counted for this purpose.

No	Divisions, States and Gaing	Numbers of monks	Number selected for executive	Remarks
1	Chin State	25	1	Thudhammā <i>gaing</i>
2	Kachin State	683	2	
3	Kaya State	191	1	
4	Kayin State	3233	2	
5	Mon State	5655	2	
6	Shan State	4539	6	
7	Yakhine State	2983	3	
8	Ayeyawadi Division	6383	5	
9	Magwe Division	9170	6	
10	Mandalay Division	19272	8	
11	Pegu Division	11351	4	
12	Sagaing Division	11366	8	
13	Taninthayi Division	2321	2	
14	Yangon Division	13527	8	
	sub-total	90,699	58	

15	Anaukkhyaung-dvara Gaing		-	non- Thudhammā <i>gaing</i> .
16	Ganawimote Gaing		-	
17	Mahadvara Gaing		2	
18	Mahayin Gaing		-	
19	Muladvara Gaing		1	
20	Ngettwi Gaing		-	
21	Shwegyin Gaing		5	
21	Weluwan Gaing		-	
	sub-total	18,333	8	
		109,032	66	National total

The *Record* explains how the selected members were taken as representative of both all the regions of Burma and all the *gaing* or ordination lineages. 1218 representative monks from the nine recognised Sangha *gaing* attended the Sangha Convention in Kabaraye Hill, Yangon, in 24-27 May 1980. No monks from the *gaing* not

included in the official Sangha *gaing* attended (Religious Affairs 1990: ka-ga). Ten years later, there would come into legislation a further law in relation to *gaing*. Law Order 6/90 related to the organisation of the Sangha and was issued by the State Law and Order Restoration Council (SLORC) in 1990. It decreed that the establishment of any new Sangha *gaing* would be punishable by a minimum prison sentence of six months and a maximum sentence of three years (Religious Affairs 1990: 4). This was actually prescribed for the purpose of abolishing or preventing the creation of religious organisations other than the nine *gaing* on suspicion of political involvement. Such organisations include the Sanghasāmaggi Organisation, Youth Monk Association, the Association of Abbots and Saṅghasamagga Organisation for example (Religious Affairs 1990: kha).

Several of the *gaing* that were not among the nine recognised in 1980 still exist, especially in the Shan State. Sukhaminda (2008: 283-284) states that there are seven *gaing* present in the Shan State, as follows. Some of these *gaing* are also to be found elsewhere in Burma; others are not.

- 1) *Thudhammā gaing*
- 2) *Shwegyin gaing*
- 3) *Pwè:gyaung: gaing*
- 4) *Myaing kyaw gaing*
- 5) *Yuan: gaing*
- 6) *Zaw:ti gaing*
- 7) *Taw: ne gaing*

Of the above seven, the *Thudhammā gaing* and the *Shwegyin gaing* are amongst the nine *gaing* currently recognised. Sukhaminda does not mention any further details about these *gaing*. One source (a scan of *Myanma-khit* newspaper that was posted on Facebook) mentions that Paññālaṅkāra monastery in Moe Nyin, Kachin State, Burma is the only Zawti monastery in Burma.¹⁰⁶ Every three years, Shans who are members of the Zawti *gaing* come from all over Burma to gather at the monastery in order to participate in a collective novice-ordination ceremony.¹⁰⁷ Despite the existence of

¹⁰⁶ See Mendelson's attempts to pin down the characteristics and details of the elusive Zawti *gaing* (1975: pp.231-234). He notes the pendulum swings of its favour under Bodawhpaya (ibid. 74-77).

¹⁰⁷ www.facebook.com/spectrum.myanmar/posts/452391204862136 retrieved: 29 January 2014.

these unregistered *gaing*, none of them have been added to the nine *gaing* approved as official Sangha *gaing* since the registration of 1980.

The SSC, in representing the nine *gaing*, supposedly represents the whole Burmese Sangha – the existence of these other *gaing* is ignored. If a member of one of these unrecognised *gaing* commits something improper for a monk, he is supposed to be subject to action in accordance with the civil laws relating to religious offenses. According to the Board of Religious Affairs (2008: 41), they are not even recognised as monks. The Board suggests that the monks belonging to the *Zawti gaing* and the *Yuan gaing* should be reordained if they wish to be included in the Sangha. Whilst the monks recognise themselves as monks, observing the monastic rules and regulations laid down by the Buddha, because they were unregistered by the Department of Religious Affairs in 1980 the SSC does not recognise them as such. In theory, they might lose the privileges of being officially recognised as a monk, but in reality they may also live freely. However, if they want to obtain registration cards, they must pretend to be members of one of the nine *gaing*, otherwise they will have difficulty travelling from place to place because monks also need to show their ID when buying travelling tickets by public transport, especially for trains and flights. Monastic privileges include the privileges of obtaining monastic identity card, participating in religious examinations, being counted in the list of monks. If the SSC wants to, it could have any of these monks arrested as fake monks. If the monks want to avoid this risk or obtain the privileges of Burmese monks then, irrespective of their views about their own status, their only option is that of assigning their *gaing* subordinate to one of the nine official *gaing*.

Formation of State Special Vinicchaya Committee (SSVC)

This section will introduce the State Special Vinicchaya Committee (SSVC) (*Naing ngan daw ahtū: wi nī: do apwè*). organised by the Sate Saṅghamahānāyaka Committee (SSC) (*Naing ngan daw thanga mahānāyaka apwè.i*), for the settlement of the monastic cases. The SSC was formed in 1980 through the All Gaing Sangha Convention during General Ne Win's rule for the explicit purpose of "purifying, perpetuating and promoting the Theravada Buddhism." (Religious Affairs 1980: 7).

The Sangha Executive Committee (SEC) (*Thanga wun saung apwè*). was organised in 1979 in order to arrange the 1980 Sangha Convention. It comprised 66

members of the Sangha selected from the various *gaing* and regions of Burma, each of the 66 being nominated by his local Sangha, by the agreement of the Sangha in respective areas. The SEC led the All Gaing Sangha Convention held in Kabar Aye Hill, Yangon, in 24-27 May 1980, attended by the 1218 representatives monks from the nine official Sangha *gaings*. The SEC was a short-term committee as it was just for the Convention. The convention agreed to set up three main bodies: State Central Sangha Executive Committee (SCSEC) (*Naing ngan daw baho thanga wun saung apwè*), with 300 monks, State Ovādācariya Committee (SOC) (*Naing ngan daw aw:wādā sariya apwè*) with the 81 most senior monks and the State Saṅghamahānāyaka Committee (SSC) with 33 monks but later extended to 47. Each of these three bodies contains monks selected from all of the nine recognised *gaings*. Of them the SSC plays a major role, with the members of the SSC acting as representatives of the whole Sangha throughout Burma (Maung Maung 1981: 177).

The constitution of the SSC is that there are 47 members from which one is chosen to be president and one to be secretary; the remaining 45 make up the general membership. The number 45 may have been selected as an auspicious number for, according to Sayadaw U Paṇḍitābhivamsa, whom I interviewed on 1 June 2013, the numbers of 45 refers to the Buddha's 45 *vassas*. These 45 members of the SSC are divided into three groups, each of 15 members. The duty of active service rotates between these three groups of 15 every four months. Each group has a leader and an assistant. Within the SSC, these three leaders are known as the vice-presidents (*dutiya ok ka hta*) and the assistants as associate secretaries (*twè: bet akyo:daw saung*). Therefore, the SSC contains one president, one secretary, three vice-presidents and three associate secretaries. Each group of 15 members is subdivided into three.

One of these three groups of five monks manages religious affairs, such as the establishment of a new monastery, the erection of a pagoda and the registration of monastic identity cards for monks, novices and nuns aged 12 and over. Thus, this group has responsibility for one of the issues that had been so problematic only fifteen years early, the introduction of monastic ID cards.¹⁰⁸

¹⁰⁸ The ID cards for which this group is responsible are known as *thāthanāwin hmat tan*: for monks and novices and *thāthanā nwèwin hmat tan*: for nuns. I noted above the previous, unsuccessful attempt to introduce the monastic ID card for monks, novices and nuns in Burma at the Sangha convention in Hmawbi in 1965 during General Ne Win's reign. Some 2000 monks from different sects had attended,

The second group of five monks takes responsibility for educational affairs such as the *Tipiṭaka* examination and some other religious examinations.

The third and final group of five monks is responsible for *vinicchaya* affairs such as issues concerning the teaching of *dhamma* and practice of *vinaya*, which are reported to the SSC. It is this group that is relevant to the subject of this thesis. When a monastic dispute comes up, there are only five monks of the SSC on duty who have the responsibility to manage it. It is not their duty to get involved directly in the settlement of the dispute. Rather, their duty is to organise a Vinicchaya Committee to solve the problem. If the case is related to a pure *vinaya* problem they organise a state Vinicchaya committee; if the case relates to *dhamma/adhamma*, *vinaya/avinaya* i.e. truthful versus false teaching of the *dhamma*, they organise a State Special Vinicchaya Committee *naing ngan daw thī: chā: winī: do aphwè*.

Table 6: The 47 members of the SSC

1 President			1 Secretary			45 members		
Group 1 (15 monks) (1 vice-P and 1 asso-S)			Group 2 (15 monks) (1 vice-P and 1 asso-S)			Group 3 (15 monks) (1 vice-P and 1 asso-S)		
Group 1 (5 monk)	Group 2 (5 monks)	Group 3 (5 monks)	Group 1 (5 monk)	Group 2 (5 monks)	Group 3 (5 monks)	Group 1 (5 monk)	Group 2 (5 monks)	Group 3 (5 monks)
Religious Affairs	Educational Affairs	Vinicchaya Affairs	Religious Affairs	Educational Affairs	Vinicchaya Affairs	Religious Affairs	Educational Affairs	Vinicchaya Affairs

but the introduction of an ID card was resisted, and Ne Win's attempt was not successful at that time (Maung Maung 1981: 142). Nowadays, however, I would say from personal experience as a Burmese monk that monks' attitudes have changed and those of us who have the ID card are proud of it.

The organisation of the State Special Vinicchaya Committee for the Investigation of cases

Vinayo nāma sāsanaṃ āyu Vinaye ṭhite sāsanaṃ ṭhitaṃ hoti

The discipline is the life of *sāsana*; if the discipline exists, *sāsana* exists.

(*Pārājikakaṇḍa-aṭṭhakathā*, vol, 1, p.11);

This section will provide an overview of 16 of the major 17 cases of *dhammavinicchaya* and *vinaya vinicchaya* heard by the SSVC under the guidance of the SSC from 1980 until the present day. Here I shall first explain how the Vinicchaya committee is organised for the assessment of these cases.

The monastic cases over which the SSC take action are categorized into four types of issues (*adhikaraṇa: adikaron:* in Burmese) (*pācittiya: 272*)

- 1) *Vivādādhikaraṇa*, an issue on dispute (*wiṇādādikaron:*)
- 2) *Anuvādādhikaraṇa*, an issue on accusation (*anuvādādikaron:*)
- 3) *Āpattādhikaraṇa*, an issue on transgression of offences (*āpattādikaron:*)
- 4) *Kiccādhikaraṇa*, an issue about performing *saṅghakamma*, the formal proceedings of the Sangha (*keit sādikaron:*)

Vivādādhikaraṇa occurs when one group regards a teaching attributed to the Buddha as *dhamma*, while another group regards it as *adhamma*, i.e. not correct or false doctrine; or when one group holds a particular interpretation of the disciplinary rules for the *monks* and *nuns* as correct *vinaya*, where as the other group persists it as *avinaya*, i.e. an incorrect interpretation of the monastic code. Janakābhivaṃsa describes it as “being divided into two groups as a consequence of an argument.” (1979: 375) The disagreement creates a dispute which remains unsettled until the Sangha makes judgement in accordance with *adhikaraṇasamatha*, the legal settlement of disputes, described in the *Vinaya Piṭaka*.

This first type of issue requires the five members of the SSC responsible for *vinaya* cases to organise a State Special Vinicchaya Committee (SSVC), and the other three require them to organise a normal State Vinicchaya Committee. The SSVC is a temporary committee set up for each specific case.

Although a *vinaya* case may go direct to the state level, the judgement can be made at the town level or division level, depending on the place of religious offices

where the accusation goes. If it is not resolved at the town and division level it may subsequently reach the SSC. However, cases relating to *dhamma/adhamma* and *vinaya/avinaya* must go directly to the state level, meaning to the SSC. The headquarters of the SSC are in Kabar Aye Hill, Yangon, where the Ministry of Religious Affairs is also situated. When necessary the staff and officials of the Ministry of Religious Affairs assist the SSC in the cases.

Here is an example of how a case is reported to the SSC and then dealt with by the SSVC. The accuser may be a monk or a layperson; there may be one or more accusers. Thus far, in all of the major 17 cases the accusers have been monks. In the case of the accused, they have been monks, sometimes with lay co-defendants in 16 cases, and a nun in one case. The process of accusation goes like this. Firstly, the accuser requests a form from the religious office, completes it and signs it. The accuser sends two copies of a full report detailing the accusation (*codanā*) to the SSC. The SSC retains one copy of the report and sends the other to the accused together with a request for a response to the accusation within 15 days. The accused may then send two copies of their response (*sodhanā*) to the SSC. One is for the SSC to retain and the other for the SSC to forward to the accuser. Whether or not it receives a response from the accused within the permitted period, the SSC must organise the SSVC comprising 3 or 5 or 7 monks (Religious Affairs 2008: 3, 20, 25). The SSVC must start to examine the case within 15 days and complete it within 60 days. Up to two extensions may be granted. When appropriate, the SSC sets date for the verdict. If any parties fail to be present at the Vinicchaya Court three times on the given trial days, the decision making process would be made in the absence of the party.

Here is now a summary of the basic structure of the accusations and investigation that made up a Vinicchaya court case, taking a part of Shin Ukkatṭha's case as an example.

According to the accuser: 'Ukkatṭha claims that there is no celestial world, no brahma realm, no hell and no ghost abode except human plane and animal kingdom out of the 31 planes (Ukkatṭha 1963: pp.7, 10, 99, 100, 155). However, according to the *Vibhaṅga* (1997: 436), 31 planes exist in this world. Thus, I ask the SSVC to investigate his teaching of the 31 planes (Religious Affairs 2005: pp.115-120).'

According to the accused: ‘Buddha suggested rejecting the 31 planes (*Udāna* 1997: 105, *Mahāvagga* (*Dīghanikāya*) 1997: 54). According to *Āṅguttaranikāya Chakkanipāṭa* (1997: 386), Buddha said that there are “3 lives to be rejected” [see below], i.e. *kāmabhava* (sensual life in 11 sensual spheres), *rūpabhava* (form life in 16 form spheres) and *arūpabhava* (formless life in 4 form spheres). That is why the 31 planes are not acceptable in Buddhism (Religious Affairs 2005: pp.254-257).’

The SSVC’s position, following its detailed scrutiny of the case based on a full consultation of canonical texts to assess the conformity of the teachings is as follows: The evidence used in response of the accused, namely the quotation ‘three lives to be abandoned,’ is a metaphor. The reality is that it is ‘[the attachment] to three lives that is to be rejected. The text, the *Āṅguttaranikāya Chakkanipāṭa*, that the accused quoted reads in full as follows, “Oh, monks, these three lives are to be abandoned and these three practices are to be practised: what are these three lives? These are *kāmabhava* (the life of sensual sphere), *rūpabhava* (the life of the form sphere) and *arūpabhava* (the life of formless sphere); what are these three practices? These are *adhisīla* (higher morality), *adhicitta* (higher concentration) and *adhipaññā* (higher wisdom). Oh, monks, when a monk has abandoned these three lives and practised these three practices, then he should be called the one who has eliminated craving, who has gone beyond attachment and who having eradicated the pride has put an end to *saṃsāra*.” It is obvious that the three lives mentioned in this text refer metaphorically to the attachment to the three lives. There are also explicit statements of the existence of the 31 planes in the Buddha teachings (*Āṅguttaranikāya ekanipāṭa* 1997: 39, *Vibhaṅga* 1997: pp.427, 436, *Yamaka*, vol.1 1997: pp.31-32). Therefore, we (the SSVC) decided the concept of the accused, Ukkatṭha is a false doctrine (*adhammavāda*) (Religious Affairs 2005: pp.524-557).

This above example shows how the different aspects of the position of each accused are examined, taking into account the supporting evidence of the accused. In the above cases they used Shin Ukkatṭha’s publications to find the supporting evidence. Since the case was posthumous, it was three of his followers, U Chandādika, Thakhin Myat Saing and U Khin Han, who spoke in Shin Ukkatṭha’s defense. After a detailed discussion with reference to canonical texts, the verdict was reached in the form of a conclusion. As a result of this examination and investigation, the teachings

of the accused were proved wrong and therefore it became forbidden to teach these doctrines in public in the future by any means.

The 17 cases assessed by the SSC

The SSC has reported that, since its establishment in 1980, it has identified a series of new interpretations of the doctrine, *dhamma*, and discipline, *vinaya*, of the Buddha developed by various individuals. It has resolved 17 cases regarding *dhamma/adhamma* and *vinaya/avinaya*, setting up an SSVC for each one. As discussed in Chapter One, the procedures in such cases take the canonical texts, in the form agreed at the Sixth Buddhist council in 1954-56, as their benchmark against which to test such doctrine and discipline. During each trial, the SSVC questions the accused in accordance with the report of the accuser, and scrutinizes their position referring to canonical texts. We can see this in the above example taken from Shin Ukkatṭha's case, which we shall discuss in more detail below in chapter, after first surveying all the other 17 cases.

Between 1981 and 2011 the Department of Religious Affairs published each of the *vinicchaya* investigations, giving the details of each of the 17 cases, including the verdicts and the reasons behind them. I base the following summaries on those publications. In those publications, the canonical references are provided as the names of *sutta*, volumes and the chapters. I have here supplied references to the current editions of these texts; in some instances the volumes have been published long after the case that is referred to in its text. Moreover, I have provided the name of volumes, the printed year and the page numbers for canonical and commentarial references used, for example, and the year of publication for those texts is also sometimes later than the case in question. As a result, dates of publications pertaining to each case may appear anachronous. However, I have added this material in case anyone wishes to look at any of these cases in greater depth than I have been able to provide here. Such readers may have the convenience of going straight to the pages in the current versions of published volumes. Another thing to bear in mind is that I have compiled my summaries of cases by drawing from different sections of the publication of the court case in question. This can be seen from the references at the end of the sections provided here. I shall explain the internal structure of the

publications of the Vinicchaya cases in detail below when looking in more detail at the account of Shin Ukkatṭha's case, published in 2005.

Every case at the *Vinicchaya* court is judged in the same way. The names of the 17 cases are taken from either the doctrines, the names, place names or the clothes referred to by the case. For example, the case of *die human and born human* refers to a doctrine; the case of *Myitkyina Vicittasārābhivaṃsa Vāda* refers to the accused's name; the case of *Kyaungban: Taw:ya Vāda* is named after a placename and the case of *Mo:byā Gaing Vāda* refers to the colour of clothes worn by the accused. The outcome of all 17 cases has been a verdict of guilty. The response of most of the accused to the verdicts has been silence, with the exception of the accused in *Mo:byā gaing* (the 17th case), which continues to function in a semi-secret form

I shall now summarise 16 of the 17 cases briefly. I shall miss out the case of Shin Ukkatṭha in this section since I shall address it in more detail in the subsequent sections below. Above, I gave an example of one of the accusations against Shin Ukkatṭha. In his case, as in a number of the 17 cases, there are multiple accusations, so multiple *vinicchaya*, judgements, constituting each Vinicchaya court case.

1. Kyauk Thin:baw: Taw:ya Vāda Vinicchaya (24 February 1981): 'The judgement on the teaching of Kyauk Thin:baw: Taw:ya'

Kyauk Thin:baw: Taw:ya is a forest meditation centre in Kyaukse, Mandalay Division. The abbot of this centre was U Visuddha is popularly known as the Kyauk Thin:baw: Taw:ya Sayadaw, in the manner explained in the Introduction of naming prominent teachers after the place they are associated with. The Kyauk Thin:baw: Taw:ya Sayadaw has taught meditation and had been popular since the 1960s. His teachings were known as *Kyauk Thin:baw: Taw:ya* teaching, (*Kyauk Thin:baw:Taw:ya Vāda*), after his meditation centre. This case was the first of the 17 cases thus far investigated by an SSVC (Religious Affairs 2010: 3-7).

The Kyauk Thin:baw: Taw:ya Sayadaw held the view that *nibbāna* can be achieved without practising Vipassana (insight) meditation; the canonical texts say that there is only one way to *nibbāna*, Vipassana. He also believed that one should aim for the mind to withdraw into itself, not letting it engage with any mental concomitants, while some canonical texts say that one should

aim for a mind that is endowed with wholesome mental factors. He also said that it is unnecessary to practise *sīla* (morality), *samādhi* (concentration) and *paññā* (wisdom), but the canonical texts say that a monk should practise *sīla*, *samādhi* and *paññā*. (Religious Affairs 2010: 5).

In its verdict delivered on 14 February 1981 at Kabar Aye Hill, Yangon, Burma, the SSV (No.1) decided that U Visuddha's teaching was in complete contradiction to the teaching of the Buddha.

The judgement involved three parties as follows: The accusers were U Kosalla (Chaung Oo), U Paṇḍita (Mandalay) and U Kusala (Tha yet). The accused were: U Kovida (Thingangyun), U Indobhāsa (Monywa), U Visuddha (Kyaukse) and U Nandiya (Mandalay). The SSV (No.1) members were U Sudassana (Khayan), U Jotika (Mandalay), U Somabhisiri (Waw), U Jotipāla (Pegu), U Vijjodayabhivamsa (Yangon), U Kesara (Thayet) and U Vimalabhivamsa (Shwebo) (Religious Affairs 2010: 3-7).

The accused accepted their interpretations of the *dhmma* or *vinaya* to be wrong and gave their assurance that they would not teach them in the future.

Although the SSCV drew on plenty of canonical and commentarial evidence to support their verdict it is interesting to note that U Visuddha could have found support for his views, certainly the main one, regarding the significance of *vipassanā*, in western scholarship on canonical texts. Several scholars working within western academia, such as Edward Conze (1956), Andrew Skilton, Paul Griffiths, Richard Gombrich, Kate Crosby and Man Shik Kong have identified texts that indicate the view that Enlightenment can be achieved through means other than *vipassanā*. For example, just to take the case of the *brahmavihāra* meditations which, following Buddhaghosa's categorisation of meditation practices in his 5th century compendium the *Visuddhimagga*, are usually classified as *samatha* practices Crosby writes,

Scholars who have recognised that the *brahmavihara* can be salvific in their own right are, in chronological order: Edward Conze *Buddhist Meditation* 1956; Andrew Skilton *A Study of the Brahmavihara in early Buddhism* unpublished BA dissertation Bristol University 1988; Mudagamuwe Maithrimurthi, *Wohllwollen, Mitleid, Freude und Gleichmut: Eine ideengeschichtliche Untersuchung der vier apramāṇas in der buddhistischen Ethik und Spiritualität von den Anfängen bis hin zum frühen Yogācāra*, Stuttgart: Franz Steiner Verlag 1999, based on doctoral work mainly conducted

1988-1990 ... and Richard Gombrich, *Kindness and compassion as means to Nirvana*. Amsterdam: Royal Netherlands Academy of Arts and Sciences, 1998. (Crosby 2008: 39).

On other types of meditations that come to be classified as *samatha*, Crosby elsewhere observes,

The practice ‘recollection of the [qualities of the] Buddha’, *buddhānussati*, is also said, in the prose narrative of the *Apallaka Jātaka*, to lead to *Nibbāna*, but in the *Visuddhimagga*, it is attributed with only a limited benefit, namely leading to the first *jhāna* This makes dubious the ascription of the prose narratives of the *Jātaka* to Buddhaghosa, to whom the *Visuddhimagga* is also ascribed ... Man Shik Kong has recently identified a similar discrepancy between the canonical and the *Visuddhimagga* assessment of various of the *saññā* (‘perception’ or ‘contemplation’) practices, such as the *āhāre paṭikūlasaññā*, ‘perception of repulsiveness in relation to food’. In various canonical passages they are said to lead to elevated states of spiritual attainment, including *Nibbāna*, but Buddhaghosa again relegates them to a subordinate position on the spiritual path in his *Visuddhimagga* (Kong 2015). (Crosby 2014: 145).

The contrast in positions between these scholars and the SSVC seems to relate to how one treats the Canon, whether one treats it as a monolithic text to be attributed to the Buddha in its entirety, or as a diverse compilation of texts composed by different people at different periods. Western scholars tend to hold the latter view and part of western scholarship is to explore inconsistencies within the canon as a way of uncovering diversity in Buddhism’s past. In contrast, Theravada Buddhists tend to treat the texts entirely as the word of the Buddha, *buddhavacana*, and therefore are more likely to explore apparent inconsistencies with a view to resolving such inconsistencies, to enable compliance with a single understanding of the Canon. In the case of the Kyauk Thin:baw: Taw:ya Sayadaw U Visuddha, he appears to have chosen texts selectively; once other texts were pointed out to him by the court he conceded his stance. Shin Ukkatṭha, in the example cited above, appears to have taken canonical statements out of context, a position that can be corrected by a more thorough reading. However, elsewhere, for example in his comments on the Sixth

Council noted in the Introduction, Shin Ukkatṭha's stance is more akin to that of Western scholars, in that he regards it as possible to see the Canon as layered, containing some *buddhavadāna* and some later interpolations. This position is problematic for a court system seeking to protect orthodoxy, such as the SSC, for where would one draw the line between what is and is not *buddhavadāna*? Instead, their premise is that all the canonical texts authorized at the Sixth Council, which, as Ukkatṭha noted, essentially confirmed the texts of the previous council, are *buddhavadāna*.

2. *Lūthelūhpyit Vādānuvāda Vinicchaya* (29 October 1981): 'The judgement on the concept of die human, born human'

This is the case of Shin Ukkatṭha which we shall explore in detail below, after this survey of other cases. I shall therefore not summarise the case here.

3. *Kyaungban: Taw:ya Vāda Vinicchaya* (26-27 April 1982): 'The judgement on the teaching of Kyaungban: Taw:ya'

This case was about some teachings concerning the nature of mind and matter, the five aggregates, *nibbāna*, etc., i.e. topics that are mainly found within the Abhidhamma analysis of causality, that relate to the nature of the world and the nature of human experience. The teacher who began the set of teachings in question was the Kyangban: Taw:ya Sayadaw who taught in Budalin, Sagaing Division, during the British colonial period. He apparently claimed that there is no difference between mind and matter:

“Log is mind, mind is a log itself, for instance, the appearance of log is matter, the log is mind, the sound of log is matter, the log is mind, the smell of log is matter, the log is mind, the taste of log is matter, the log is mind and the hardness, softness, heat, coldness and motion of log is matter, the log is mind.”
(Religious Affairs 2010: 19).

He also taught that one cannot take refuge in the Buddha, Dhamma and Sangha as long as one holds *sakkāyadiṭṭhi*, a false view in Buddhism that the body is eternal. Another teaching of his was that *nibbāna*, the state of Enlightenment, consists of the five aggregates that make up the body. The SSVC view was that this contradicts what

is found in the canonical texts, which indicate that mind and matter are different, that one can take the three refuges even though one holds *sakkāyadiṭṭhi*, and that *nibbāna* is separate from the five aggregates (Religious Affairs 1982: 11, 19, 29). This set of teachings was famous in Upper Burma, and remained so after the death of the Kyangban: Taw:ya Sayadaw. It was popular in the areas of Monywa, Budalin, Mandalay and Magwe. According to the Religious Affairs publication of this case, this teacher was so popular that there was a kind of rumour circulating in Budalin, which accorded him a status similar to that of famous monks such as Ledi Sayadaw. It was in the form of a prophesy: “*in:khan: daw. letī, letī daw. nget kya, nget kya daw. kyaung khok*”. It can be literally translated, “When a pond dries up (*in:khan:*), it is made as a paddy field (*letī*), when it is made a paddy field, a bird comes to eat (*nget kya*), when a bird comes, a cat catches the bird (*kyaung khok*)”. It means that a series of imminent famous monks would appear meaning that “after the In:khan: Sayadaw (1838-1925), the Ledi Sayadaw (1846-1923) would appear; after the Ledi Sayadaw, the Ngettwi: Sayadaw (1831-1915) would appear; after the Ngettwi: Sayadaw, the Kyaungban: Sayadaw (1860-1926) would appear” (Religious Affairs 1982: 2).

This case first came to trial in 1959, in a Vinicchaya held by the local Budalin Sangha, which concluded that the teachings were *adhammavāda*. Because the court did not have the backing of government law-enforcement agencies to help implement its decisions, this decision had no effect. Therefore, once the SSC was established in 1980, this case was brought to them posthumously. The earlier verdict that these teachings were *adhamma* was confirmed by the SSVC (No.3) which reached its verdict on 26-27 April 1982 at Kabar Aye Hill, Yangon. The followers of the Kyaungban: Sayadaw conceded the teachings to be wrong and promised never to teach them again.¹⁰⁹

The three parties were as follows: The accusers were U Paññāvaṃsa (Hinthada), U Sujāta (Chaung Oo), U Gambhīrabuddhi (Waw), U Jotika (Chaung Oo). The accused were: U Nandiya (1), U Nandiya (2), U Yuvinda (Budalin), U Paṇḍita (Monywa) and U Sundara (North Ukkalapa). The SSVC (No.3) was U Obhāsa (Kyaukme), U Paṇḍava (Tatkone), U Naradābhivāṃsa (Mandalay), U Kavidhaja (Sinpyukyun), U Neminda (Pakhukku), U Tilokasāra (Mahlaing) and U Vimala

¹⁰⁹ According to U Visuta (who I interviewed online at 15:49 on Tuesday 24 November 2015) who is a native of Monywa, and currently living at London Vihara in London, some villages around Monywa, Budalin, Yeoo and Myaung are still under the influence of Kyangban: Taw:ya teachings.

(Monywa). (Religious Affairs 1982). The *Kyaungban: Taw:ya Vāda Vinicchaya* was published by the department of Religious Affairs in July 1982, three months after the verdict.

In this case, we see that the SSC refused to admit a development in the analysis of the relationship between consciousness and its object, a topic that is at the heart of Buddhist understandings of causality and of particular interest to traditions engaged in meditation and the understanding of the mind. In different traditions we see the understanding of this relationship develop in different ways, the teachings judged in this case seeming similar to those developed in Yogācāra Buddhism. Similarly, the view that Enlightenment and our current embodied state in the form of the five aggregates are one and the same is a view found in Chan Buddhism, another meditation-related tradition. Although I am unable to examine this teaching in detail here, we can nonetheless see it as part of the reconsideration of Buddhist teachings at the time, perhaps in the light of knowledge of other Buddhist traditions, perhaps on the basis of meditation experience.

4. *Kyaukpon Taw:ya Vāda Vinicchaya* (7-9 November 1982): ‘the judgement on the teaching of *Kyaukpon Taw:ya*’

This case concerned a type of meditation practice initiated by a layperson, U San Yin who headed the Kyaukpon Taw:ya Vipassana Training School in North Okkalapa, Yangon. This practice taught that the meditation on of breathing in and out and that of the four bodily postures are not for a common worldling to practise. Here I am translating as ‘worldling’ the Pali term *puthujjana*, an ordinary person without higher spiritual attainments. U San Yin also taught that the process of appearing and disappearing of mind and matter should not be an object of focus in meditation, that only noble persons – only monks of spiritual attainment, not ordinary monks – are worthy of receiving donation, and that the Buddha did not teach that there were 31 planes of existence – in other words he rejected the traditional Buddhist cosmology. This was not an uncommon view amongst modern Buddhist teachers once such traditional views had been challenged by the introduction of the heliocentric model of the universe. He also taught that the three characteristics of existence identified in the Canon should be taught in the order of *anatta* (non self), *dukkha* (suffering) and *anicca* (impermanent) rather than the standard order (below). The SSVC disagreed and

drew on canonical textual passages to confirm that the meditations in question are not restricted to any type of person, that everyone can practise meditation on the process of mind and matter, that donations (*dāna*) can be made to a person of any spiritual status, that the 31 planes were taught by the Buddha and that the correct order of the three characteristics is *anicca*, *dukkha* and *anatta*. This verdict was reached by the SSVC (No.4) on 7-9 November 1982 at Kabar Aye Hill, Yangon. The followers of the teachings conceded that they were wrong.

The three parties were as follows: The accusers were U Paṇḍita (Thingangyun), U Visuddhācāra (Nape), U Ñāmasāmi (Minbu) and U Aggadhama (North Okkalapa). The accused were: U Ukkāṃsa (North Okkalapa), U Cintamayañāṇasiddhi (North Okkalapa), U Kovida (North Okkalapa), U Ñāṇobhasa (North Okkalapa), U San Maung (Kyimyindine), Pathein Saya Nyunt (Pathein), U Nay Win Thein (South Okkalapa). The SSVC (No.4) was U Vāseṭṭhābhivaṃsa (Minglar taung nyunt), U Paññidābhivaṃsa (Bahan), U Dhammasārābhivaṃsa (Taung gok), U Ariyavaṃsa (Phya pon) and U Vepullābhivaṃsa (Nyaungshwe) (Religious Affairs: 2008:175).

We see here in the rejection of traditional cosmology and in the questioning of traditional *dāna* practices and making merit by giving to monks, some interesting parallels with Shin Ukkatṭha's case. Even Ledi Sayadaw adapted traditional *dāna* practices, asking people to make commitments to personal practice (Turner 2013: 98-99). These positions were therefore very much part of the revision of Buddhism in the modern period.

5. U Mālāvara (Yetashi Vāda) Vinicchaya (3 April 1983): 'The Judgement on the Teaching of U Mālāvar (Yetashi)'

This case was about an ideology developed about Buddhism by U Mālāvara. He lived in Yatashi town, Pago division, and was just 37 years old, with only 17 vassas or rains retreat years since his higher ordination, when this case came to court. Learned and self-confident, he sought to defend himself against the accusations by also supporting his arguments with canonical knowledge. The SSVC regarded him as having gone astray from the Theravada path by developing his own theories (Religious Affairs 2009: pp.2, 3, 4, 203, 204). He is reported to have said, "The Buddhism I have taken refuge in is not a real Buddhism, but it is Theravada Buddhism. Theravada means the Elders. If so, I have to follow whatever they command whether

it be good or bad, as in ‘come when I call, do what I order, do not speak back to me’.” Apparently did not accept triple gems, the five precepts, or middle path and did not believe in heaven and hell. According to SSCV’s understanding of canonical texts, Theravada means the teachings of Buddha which have been passed on by the Elders from generation to generation; it is not their own teachings; Theravada believes in triple Gems, the five precepts, middle paths and heaven and hell (Religious Affairs 2010: pp.28-29). The SSVC (No.5) condemned the concepts of U Malavara (Yetashi) as a false doctrine on 3 April 1983 at Kabar Aye Hill, Yangon.

The three parties were as follows: The accusers were U Bhaddiya (Thagara), U Munita (Yetashi) and U Sāsana (Swar). The accused was U Mālāvara (Yetashi). The SSVC (No.5) was: U Vijāya (Wakhema), U Paṇḍicca (Yangon), U Nandiya (Paukkhaung), U Neminda (Pakhukku) and U Sīlavanta (Myitkyina) (Religious Affairs 2009).

This was an interesting case in that U Mālāvara appeared to be critiquing the automatic acceptance of Theravada and the compliance with tradition which made no attempt to understand the teachings. He was suggesting that early Buddhism and developed Theravada could be different things. The SSVC’s views reflect Burmese nationalistic understandings of Theravada that derive from the conservative, text-oriented approaches. Although it is commonly believed by Burmese and other Theravada Buddhists that what is now called Theravada Buddhism is the same as early Buddhism, this position has been critiqued in modern scholarships beginning with seminal works such as Bareau’s work on the early schools (Bareau 2013 (1955)). In recent scholarly writings, this has been taken further, and the typical Burmese view of Theravada is now seen to be a modern construction. See for example, Gethin 2012, on the meanings of the term ‘Theravada’ in Pali literature, Perreira 2012 on the modernity of the current use of the term ‘Theravada’, Skilling 2012 on the lack of firm knowledge on the identity of Theravada historically and Crosby 2014, Introduction, on the problematic equation of current Theravada with early Buddhism. Thus support for U Mālāvara’s definition of Theravāda might be found in modern, western scholarship.

6. *Dhammanīti Vāda Vinicchaya* (15 July 1983): ‘The judgement on the teaching of Dhammanīti Sayadaw’

This case related to teaching promulgated by U Paññāvaṃsa, the abbot of Dhammanīti bimaṇa monastery, Thaketa, Yangon. According to the SSC records, he claimed that Buddhism advocates a form of Eternalism (*sassatadiṭṭhi*) (Religious Affairs 2006: 269). He also taught that the enemy of *vipassanā*, insight, is *dāna* (charity), *sīla* (morality) and *bhāvanā* (meditation) (Ibid: 28). They claim that he was of the view that there are no such things as good or bad deeds, and that at the ultimate level of truth, there is no such thing as mind nor matter (Ibid: 17). He is further accused of teaching that various traditional Burmese Buddhist practices, such as offering alms-food to the monks, contemplating the Buddha’s attributes and paying homage to the Buddha are just like ‘living in hell’ (Ibid: 67).¹¹⁰ It was claimed that he also inverted the traditional hierarchy of purity of practitioners by claiming that those who observe no precepts are more free than the five-precept-observer, who is in turn much more free than the eight-precept-observers (Ibid: 295-296). This is a reference to the Theravada practices of lay people taking the five precepts (not to kill any living beings, not to steal other’s property, not to commit sexual misconduct, not to tell a lie, and not to take intoxicant drugs and drink) or, particularly when staying at a temple, taking the eight precepts, the additional rules being not to eat food after noon, not to wear flowers or use perfumes, cosmetics and garlands, and not to use high chairs or luxurious beds. He was also accused of having claimed that the Buddha and his noble disciples are still tainted with defilements (Ibid: 250).

It seems that even though a Buddhist monk well-versed in canonical texts and other relevant treatises, he was mocking his own Buddhism. According to the SSC’s understanding of canonical traditions, all of these claims of his were unacceptable. Thus, the SSVC (No.6) declared all of his concepts to be wrong on 15 July 1983, at Kabar Aye Hill, Yangon.

The three parties were as follows: The accusers were U Vimalabuddhi (Thaketa), U Ñāṇissara (Ngathaing:chaung:), U Cakkinda (Thaketa) and U Revata (Paung). The accused was U Paññāvaṃsa (Taketa). The SSVC (No.6) was U

¹¹⁰ I have translated this phrase from the Burmese summary of U Paññāvaṃsa’s position and am not sure in what sense he makes the equation between such practices and living in hell.

Tikkhindriya (Bahan), U Uttarabhivamsa (Lanmadaw), U Kavinda (Phaan), U Kumarabhivamsa (Mandalay) and U Kondanna (Bahan) (Religious Affairs 2009).

It is not clear to me whether U Paññāvamsa meant his points seriously or was attempting to give his followers some critical distance so that rather than follow tradition blindly they could make conscious religious choices. We can see that this is another instance of a monk who, whilst continuing to be a monk, engaged with the critical responses to Buddhism that, following the new ideas from the west, were clearly widespread in the modern era.

7. Mo:nyo (Myauk Okkalapa Vāda) Vinicchaya (7 July 1983): ‘The judgement on the concept of Mo:nyo Sayadaw.’

This case is about a meditation practice initiated by the U Sūriya, the abbot of Mo:nyo Vipassana centre, North Okkalapa, Yangon in 1970s. He had already been defrocked by the State Vinicchaya Committee (SVC) under the guidance of the SSC in 1982, on account of his claiming, publicly, of having attained Arahatsip, personal enlightenment, apparently without in fact having achieved it (Religious Affairs 1984: 9). Make such a false claim constitutes the 4th *pārājika*, one of the offenses which, once committed, entail automatic expulsion.¹¹¹ Therefore U Sūriya was already a layman when this later case came to trial. In his lay life he had continued to give *dhamma* talks and wrote about his opinions relating to the Buddha’s teaching. As he was a Vipassana meditation teacher he was able to continue teaching his views. He held the view that the path and fruition is not achievable by means of *samatha*, tranquility meditation. Canonical texts say that the path and fruition can be achieved through either tranquility or insight meditation (Religious Affairs 1984: 16). At first sight, this ruling appears to contradict the SSVC’s previous judgement. However, here we are talking about the process. Thus one may reach the various stages of spiritual attainment leading up to *nibbāna*, ‘four paths and fruitions’, through the practice of *samatha* meditation, as a ‘*samathayānika*’. However, the *samatha* outcome alone cannot bring the paths and fruitions. The outcome must also be the experience of the *vipassanā* outcome. In contrast, a *vipassanayānika* can directly access the *vipassanā* outcome

¹¹¹ How U Sūriya’s spiritual status was tested is not mentioned in the book. It only mentioned that his case was examined by Town, Division and State Sangha Committees. Then all of them decided that he committed *pārājika* offense (Religious Affairs 1984: 4).

necessary to reach the paths and fruitions. There is no need to practise *samatha*. Hence we see that the judgement here is consistent with that of the previous case.

Another point attributed to U Sūriya is a reinterpretation of the *abhidhamma* understanding of the nature of matter, the physical elements that constitute the material world. Apparently, he reinterpreted the eight irreducible constituents of matter in Abhidhamma to be, 1 & 2) softness and hardness of earth-element, 3 & 4) cohesion and fluidity of water-element, 5 & 6) heat and coldness of fire-element 7 & 8) pushing to move and moving of air-element. Contrary to this, the canonical texts list the eight inseparable constituents of matter as 1) earth-element, 2) water-element, 3) fire-element, 4) air-element, 5) colour, 6) odour, 7) taste and 8) nutrient essence (ibid: 46).

Another claim attributed to U Sūriya reverses Theravada notions of spiritual purity, for he allegedly claimed that an *Arahant*, an enlightened individual, still has latent defilements, whereas a newborn baby has no latent defilement. This contradicts the Theravada canonical definition of an Arahant as one who has eliminated all defilements including the latent, and the understanding that all humans, except for Buddhas, still have the latent defilement unless they reach Arahantship (Ibid: 108).

The SSVC (No.7) ruled all of his concepts to be wrong (*adhammavāda*) on 7 July 1983, at Kabar Aye Hill, Yangon. He agreed that he had been in the wrong and stated that he had not studied much about disciplinary rules until his 14th vassa, i.e. 14 years after he had received higher ordination. He then signed an admission that these teachings of his were wrong.

The three parties were as follows: The accusers were U Vicāra (north Ukkalapa), U Paṇḍavaṃsa (north Ukkalapa) and U Sāsana (north Ukkalapa). The accused was Mo:nyo Sayadaw, U Sūriya (a) U Tun Shein. The SSVC (No.7) was U Vepullābhivāṃsa (Mandalay), U Candobhāsa (Pago), U Nandavaṃsa (Inndaw), U Jotika (Thahton) and U Tilokasāra (Mahlain) (Religious Affairs 1984).

8. *Htun ton: let kyan U Htin Vāda Vinicchaya* (30 December 1985): ‘The Judgement on the ‘Left over after the Harrowing’ Teachings of U Htin’

This case was about a meditation practice taught by a layperson, U Htin. It started in Kyaung Phyu village, Myaung, Sagaing Division. The emergence of this case

is different from all the other cases. Whereas all the others were referred by accusers outside the group in question, in this case the followers themselves referred the case after U Htin had passed away. They collected his *dhamma* talks, books, pamphlets, files and tapes, and handed them to the SSC to investigate whether the concepts of their teacher regarding meditation were *dhamma* or *adhamma*.

According to the SSVC, U Htin's two nephews were killed when they were planning a robbery during the period of the conflict between socialists and communists in 1968. He fled and took refuge in Sunlun monastery where he met with Sulun Sayadaw U Kavi from whom he learnt meditation. In accordance with Sunlun Sayadaw's advice he went to Yesagyo town to learn further meditation techniques from O Bo Sayadaw U Uttama (Religious Affairs 2006 pp.5-6).

The name of *Htunton: letkyan* means 'left the log of harrow'. He probably copied it from his meditation teacher, Sunlun Sayadaw who had also previously been a layman: he had left farming and harrowing in the field to become a monk. Later on he was known as Sunlun Sayadaw but first he was called *Htunsin: Kodaw* or *Htun Htaung Kodaw* (climbing down from the harrowing-log or leaving the harrowing-log upright) because he had left farming (Htay Hlaing 1993: 540). U Htin was not an educated person, but he obtained meditation methods from Sunlun Sayadaw and O Bo Sayadaw. He then recruited followers and then preached *dhamma* talks, publicly referring to himself as a noble person of the rank of "*Sotāpanna*, stream enterer," one who has reached the first of the four stages towards become an enlightened being (Religious Affairs 2006: 5-6),

U Htin gave his own definitions or interpretations of Pali words with his own ideas. Although the SSVC judged that these were not in conformity with the canonical texts – and indeed they are not, if taken as literal definitions – we can see in them popular explanations. Some of them, such as the broader interpretation of Sangha to include lay people, are found elsewhere, for example in western convert Buddhism, which also emphasizes lay participation. His interpretations included:

"*Pariyattisāsanā* means to be looking for a noble one, *Paṭipattisāsanā* is to reach the noble stage and *paṭivedhasāsanā* is to know what normal people (*puthujjana*) cannot know" (Religious Affairs: 2006: 18).

"A belief in *kamma* (action and its consequences) is called *saraṇagamana* ['having taken three refuges']; those who take three refuges are called "Sangha" (Ibid: 24).

"No one can be well-versed in the three *pitaka* [the texts of the Pali canon] without achieving supra-mundane knowledge" (Ibid: 127).

The SSVC (No.8) decided the *Htunton: let kyan U Htin wada* to be a false doctrine (*adhammavāda*) on 30 December 1985 at Kabar Aye Hills, Yangon.

The three parties were as follows: The accusers were U Kosalla (Myanug) and U Vicāradhamma (north Ukkalapa). The accused were: U Nyo Maung (Myingyan) and U Than Lone (Mandalay). The SSVC (No.8) was U Vaṇṇasāra (Thanlyin), U Ācārābhivaṃsa (Yayoo), U Kosalla (Yankin), U Paññāvaṃsa (Yinmapin) and U Vaṇṇābhivaṃsa (Daikoo) (Religious Affairs 2006).

9. *Thein Thamokchin: Saingyā Vāda Vinicchaya* (25 February 1988), 'The judgement on the teaching in relation to *sīmā* consecration.'

This case was about the consecration of a *sīmā* (monastic boundary) and so, unlike the previous cases, relates to *vinaya* rather than *dhamma*. U Puññācāra, the abbot of Yadana hman aung monastery in Twante, Yangon Division, consecrated a *sīmā* in Pegu monastery, Kwangyangone, Yangon division whilst holding the following views:

Without getting permission of *visuṃgāma* (a separated boundary area) from the government, a *sīmā* can be consecrated. The protection of the village territory from the intrusion of other monks while a *sīmā* is being consecrated is unnecessary. The recitation of a litany, *kammavācā*, to remove any old *sīmā* on the site, is also not necessary. A *sīmā* consecration can be successful even if the monks who are reciting the *kammavācā* litany to consecrate the new *sīmā* are not sitting together within the distance of a *hatthapāsa* (an area of two and half cubits length) from one another. (Religious Affairs 2010: 44-45).

In the canonical sources, the particulars of consecrating *sīmās* are not specified in any detail. To find the technical details for *sīmā* consecration one

must turn to the *aṭṭhakathā*, especially the 5th century *vinaya* commentary the *Samantapāsādikā* and later commentarial texts. (See Nagasena 2012). U Puññācāra ignored the details of the commentarial tradition, which require that *visuṃgāma*, the permission of the king (in modern terms, the government) is necessary for the establishment of a special or individual *sīmā*; that, since all monks should already be either in the new *sīmā* or their own, old *sīmā*, the village territory should be properly guarded during the consecration to prevent monks from entering; and that all old *sīmā*, even if no *sīmā* is known to have existed there, must be formally removed before the new *sīmā* consecration can take place. The monks must assemble within a *hatthapāsa*'s distance of each other while reciting the consecration *kammavācā*. (*ibid.* and Nagasena 2012).

Because of the deviation from *vinaya* rules by U Puññācāra, the SSV (No.9) declared his views as *adhammavāda* and *avinayavāda* on 25 February 1988 at Kabar Aye Hill, Yangon. The accused was U Puññācāra; the identity of the accusers and the SSV are still not accessible (Religious Affairs 2008: 301).

10. *Nèthein:thein Thamokhmu Saingyā Vāda Vinicchaya* (27 June 1989): 'The judgement on the concept of protected territory while consecrating a *sīmā*'

This case also was about a *sīmā* consecration, so it too relates to matters of *vinaya*. On 11 May 1984, a *sīmā* was consecrated by 17 members of the Sangha, presided over by Dhammarakkhita Sayadaw U Sundara, within Shwe War Myaing monastery in Yadanathiri district, Zegyo county, Mawlamyaing, Mon state. The Zegyo county is made up of nine wards, including the Yadanathiri. The *sīmā* was consecrated by bringing together only those monks residing in the Yadanathiri ward. The monks from the rest of the council-owned area known as Zaykyo were not gathered for the consecration. (Religious Affairs 2006: pp.3, 34). This case was put on trial in the district Sangha Vinicchaya court. The Dhammarakkhita Sayadaw U Sundara persistently held the following position:

“A *sīmā* consecration can be successful by bringing together just the monks of the Yadanathiri ward, without gathering together the monks of the other wards of the same county quoting, ‘*Tattha yattake padese tassa gāmassa*

bhojakā baliṃ labhanti, so padeso appo vā hotu mahanto vā gāmasīmātveva saṅkhaṃ gacchati’ (Mahāvagga Aṭṭhakathā: 333).’’

He is implying that, the place where tax is paid to the council is counted as the area which the *sīmā* regulations apply, regardless of the size of the area. Since the Yadanathiri quarter has paid the tax exclusively to the council of Yadanathiri ward and there is also an administration office in this ward, the *sīmā* consecration would be successful inviting only the monks within this area, without the need to invite others monks from other wards. (Religious Affairs: 2006: pp.6-7).

However, the ward Saṅghanāyaka committee and the ward executive Sangha committee did not agree with his claim, quoting the *Mahāvagga* definition “*Yā tassa vā gāmassa gāmasīmā, nigamassa vā nigamasīmā*” (*Mahāvagga*: 150). This phrase is part of an interpretation of the term ‘village boundary’, the area within which a sacred boundary is to be consecrated, which allows for sacred boundaries to be set up in towns as well. The SSVC interpreted this to mean “whether twelve *yojana* wide or wider than that, a *sīmā* in a village should be a *gāma* (village) *sīmā* and a *sīmā* in a town should be a *nagara* (town) *sīmā*”.¹¹² The Yadanathiri ward is one of the nine wards in the Zaykyo county, therefore all the monks in the county should be brought to the place where a *sīmā* consecration is performed (Religious Affairs: 2006: 34).

No resolution to this dispute was found at the Yadanathiri ward Saṅghanāyaka committee, so it was passed to the Mawlamyaing town Saṅghanāyaka committee, which was also unable to resolve it. Then it was reported to the Mon divisional Saṅghanāyaka committee, which was likewise unable to resolve it. Therefore it finally ended up with the SSC, who organized the SSVC (No.10) in order to resolve it. Eventually the SSVC (No.10) decided this view as false view *adhammavāda* and *avinayavāda* in 27 June 1989 at Kabar Aye Hill, Yangon.

The three parties were as follows: The accusers were U Āloka (Mawlamyaing) and U Tejavanta (Mawlamyaing). The accused was U Kesara, the abbot of Shwewa myaing monastery, Mawlamyaing, Mon state. The SSVC (No.10) was U Kovidābhivamsa (Thaketa, Yangon) and U Candobhāsa (Hlaing, Yangon) (Religious Affairs: 2006).

¹¹² This information about the *yojana* is not in the *Mahāvagga*. I have not yet identified where it is from.

As with the previous *sīmā* case, this case turns on the technicalities of *sīmā* consecration, the details of which are not provided in the canon but only in the commentaries. Therefore, this is another case where canonical authority cannot be used, were the case moves beyond *buddhavacana*. In the previous case, the monk in charge of the consecration had simply ignored the details of the commentarial requirements. In this case the monk in charge had paid attention to the requirements. The relevant regulation is that in establishing a new *sīmā*, all monks must either be within their own old *sīmā* or in the new *sīmā* of that village. The crux of the matter is how – now that bigger dwelling areas such as town, cities and conurbations exist – to define a “village”. As Nagasena explains,

According to the *Mahāvagga* (Mv II.12.7), the Buddha allowed his monks to conduct their monastic rituals within a *gāmasīmā*, literally a ‘village boundary,’ but no detailed definition of this term is found in the early canon. The *Samantapāsādikā*, however, attempted to provide a definition by delineating the boundary in relation to the area of the villagers’ lands within which an appointed village leader collected tax. The sub-commentaries subsequently abandoned the concept of tax and interpreted the commentary to mean that the map of a village is sufficient to define a village boundary. Such inconsistency between the commentary and sub-commentaries, presumably a reflection of changing concepts regarding land, led to divided opinion between Burmese monks with some following the commentary and others the sub-commentaries. There are recorded cases of monks disputing over these definitions. (Nagasena Bhikkhu 2012: p.151)

Without going further into the specifics of these interpretations we can see that in this case the two parties, the accused and the SSVC, are following or prioritizing different commentarial interpretations of the canonical phrase *gāmasīmā*, ‘village boundary.’ Interestingly, rather than judge that U Sundara was simply following one of two possible interpretations, neither of which had canonical justification, and neither of which could be said to be exclusively correct, the SSVC insisted that one position was correct and the other was wrong. This is reminiscent of the famous case of Atula and the two-shoulder, one-shoulder dispute discussed in

Chapter One: that too resolved around a decision not about the canon but as to which commentarial reading of the canon was correct. In U Sundara's Vinicchaya case, we can see that the priority for the SSVC is the emphasis on a united Sangha: the unresolved – one might say unresolvable – case must be resolved.

11. San:gale: Vāda Vinicchaya (24 February 1998): 'The Judgement on the Teaching of San:gale'

This case is about the results claimed for the meditation practices taught by U Nandobhāsa, the abbot of San:gale: eastern monastery, Nyaunglebin, Pego Division. It also relates to his interpretation or presentation of certain core Buddhist teachings. His teaching was popular around the area of Nyaunglebin in 1990s. He claimed that one could attain *sotāpanna* within 10 or 15 minutes if one followed his meditation instruction. Furthermore, his followers believed that psychic rays were released from his body and that he sometimes went to the celestial world to preach *dhamma* to the deities (Religious Affairs 2009: pp.412-467).

The SSVC also documented how he presented core Buddhist teachings. For example, they report that he asserted the importance of *sīla* (moral conduct), *saddhā* (faith) and *paññā* (wisdom), while the standard canonical list is *sīla* (moral conduct), *samādhi* (meditation) and *paññā* (wisdom). They recorded that he interpreted the eightfold noble path (a way of summarizing Buddhist practice into eight items) as consisting of four groups of items, *paññā* (wisdom), *sīla* (moral conduct), *virīya* (effort) and *sikkhā* (training), while the canonical text is composed of just three groups, i.e. *paññā* (wisdom), *sīla* (moral conduct) and *samādhi* (meditation). He also interpreted the three types of *sotāpanna* (stream winner, see above) in his own way, they summarise as “*ekavijī sotāpanna* is one who experiences *pīti* (zest), *passaddhi* (calmness) and *obhāsa* (light); *kolamkola sotāpanna* is one who experiences *lomahaṃsa* (horripilation); *sattakhattuparama sotāpanna* is one who experiences *saddhā* (faith) and *pīti* (zest)”. This, they point out, is in contradiction of the canonical text, which states “*ekavijī sotāpanna* is one who has mature insight, wisdom capable of attaining *nibbāna* in this very life; *kolamkola sotāpanna* is one who has fair insight wisdom being able to achieve *nibbāna* between the next life and the 6th life; *sattakhattuparama sotāpanna* is one who has weak insight wisdom, thus, can attain *nibbāna* only at the 7th life.” (Ibid: 478-482).

The SSVc (No.11) came to the verdict that these teachings formulated by Sankalay Sayadaw U Nandobhāsa and his followers, were *adhammavāda* on 24 February 1998 at Kabar Aye Hill, Yangon.

The three parties were as follows: The accusers were U Vilāsa (Kyauktada), U Sobhana (Nyaunglaybin), U Cintitābhivamsa (Phyu) and U Khantīdhamma (Penwegone). The accused were U Nandobhāsa (Sankalay village, Nyaunglaybin), U Dhammapāla (Sankalay village, Nyaunglaybin), U Aw Kay (Sankalay village, Nyaunglaybin), U Bo Sein (Sankalay village, Nyaunglaybin), U Tin Myint (Sankalay village, Nyaunglaybin) and U Tin Shwe (Thingangyun, Yangon). The SSVc (No.11) was U Medhiya (Amarapura, Mandalay), U Sihabala (Yamethin), U Kumārābhivamsa (Mandalay) the head of the SSC, U Nandamālābhivamsa (Sagaing), currently rector of ITBMU (International Theravada Buddhist Missionary University) and U Aggadhamma (North Okkalapa, Yangon). Religious Affairs: 2009)

12. Mogok Vinicchaya (28 May 2005): ‘The Mogok Judgement’

This case was about the meditation practice taught by Mogok Sayadaw, U Vimala (1899-1962), who established the Mogok Vipassana meditation centre in Burma and whose teachings have also spread to some foreign countries. He was famous for his teachings on *paṭiccasamuppāda* (dependent origination) and four noble truths in his meditation techniques. Because of the high status of the Mogok Sayadaw, the Mogok Vinicchaya case is the most high-profile case heard by a SSVc. As well as being internationally famous, he held the prestigious title of *Aggamahāpaṇḍita*¹¹³ and is regarded by most Burmese people as having been an *Arahant* whose physical body was at his cremation transformed into relics. His disciples recorded a few hundred cassettes of his teachings. Later, these were edited and transcribed, being published in a series of over 40 books, each of about 500 pages. A very large number of people outside and inside Burma followed his meditation techniques. This case was brought after U Visuddha, a member of the SSC, examined every *dhamma* talk given by him. In them, U Visuddha found 278 occurrences of deviation from canonical norms. These errors mostly related to incorrect names, placenames and terminology, while some

¹¹³ *Aggamahāpaṇḍita* (‘highest great learned scholar’) is the second most prestigious title in Burma, inferior only to *Abhidhajamahārāṭṭhaguru* (‘a great teacher of the country’). The Mogok Sayadaw was bestowed *Aggamahāpaṇḍita* title by the Revolutionary Council of Burma in 1962.

minor errors were in the interpretation of the teachings of the Buddha in the canonical texts.

In this case the SSVC (No.12) came to a different kind of verdict, not declaring his teachings as either false doctrine (*adhammavāda*) or genuine doctrine (*dhammavāda*) in the judgement given on 28 May 2005 at Kabar Aye Hill, Yangon. Instead they stipulated that the headquarters at the Mogok meditation centre would be obliged to remove the false doctrines from the books and tapes of his preachings and to correct the errors in the books and tapes. Also, the headquarters were to prevent any *dhamma* preacher from using the uncorrected teachings.

The three parties were as follows: The accuser was U Visuddha (Mandalay); the accused were U Janitālaṅkāra, the head of Mogok meditation centre (Yangon), U Candāvarābhivaṃsa (Yangon) and U Sobhana (Yangon). The members of the SSVC (No.12) were U Gandhamābhivaṃsa (Thingangyun, Yangon), U Khemindasāmi (Bahan, Yangon), U Obhāsābhivaṃsa (Mandalay), U Sirindābhivaṃsa (Bahan, Yangon) and U Odātasirībhivaṃsa (Religious Affairs 2007).

13. *Bhikkhunī Bhāvābhāva Vinicchaya* (27 May 2005): ‘The judgement on the possibility or impossibility of *bhikkhunī* ordination’

This case is about *bhikkhunī* ordination, and so again relates to matters of *vinaya*. This case arose when a Burmese nun, Ma Saccavādī, who had obtained a Master Degree and a *Dhammācariya* Degree in Burma and was subsequently studying for an MPhil in Sri Lanka, was firstly, on 28 February 2003, ordained as a *bhikkhunī* in Tapodhāyon *sīmā* in Sri Lanka and, then, in December 2004, returned to Burma as a *bhikkhunī* (Religious Affairs 2010: 54).

The reason this was problematic is that the Theravada ordination lineage for nuns, *bhikkhunī*, died out, possibly by the 13th century, possibly later (below). In the modern period there have been several moves to revive the *bhikkhunī* order in various ways. It was successfully reintroduced in Sri Lanka in 1996, after several attempts: nuns were fully ordained into the Dharmaguptaka *vinaya* tradition, which had originally been transmitted from Sri Lanka to China in the 5th century CE. These nuns cooperated with Theravada monks from Sri Lanka, for a nun’s ordination must be validated by ‘both sides’ of the Sangha, i.e. by both nuns and monks.

The revived *bhikkhunī* lineage is now thriving in Sri Lanka. However, the Sangha hierarchies of Burma and Thailand have strongly resisted moves to reintroduce the *bhikkhunī* lineages in their countries (as indeed have the more conservative Sri Lankan monks). Therefore, Burmese and Thai women seeking full ordination have had to go abroad to fulfill their aspirations. When Ven. Saccavādī was among those ordaining in Sri Lanka in 2003, her conduct and ordination was condemned by Burmese monks in Sri Lanka, by the Burmese Embassy in Sri Lanka, by the Ministry of Religious Affairs in Burma and by the SSC in Burma. She received the ordination together with a friend of hers, Ma Guṇacārī, among others. They received ordination from ‘both sides of the Sangha: a *bhikkhu* Sangha of 12 monks from different countries led by Dhammāloka and a *bhikkhunī* Sangha of 12 *bhikkhunī* born in Sri Lanka led by Khemācārī. The *bhikkhunī* were recognized as Theravada *bhikkhunī* and followed the *bhikkhunī vinaya* of the Theravada Canon. However, one of the arguments of those opposed to the ordinations, who wished not to recognize the *bhikkhunī* as Theravada, was that the ordaining nuns were Mahāyāna *bhikkhunī* because of the history of the Sri Lanka nuns’ lineage outlined above. In the modern construction of Buddhism, there has been a conflation of matters of doctrine and matters of *vinaya* in this area. Historically, Mahāyāna was a designation that referred to particular doctrines, sacred figures and texts, not to *vinaya*: followers of Mahāyāna beliefs could live and perform *saṅghakamma* together with other monastics. In the modern period, however, Mahāyāna has been associated with regions where also different *vinayas* are used. Thus we find the Dharmaguptaka Vinaya in East Asia and the Mūlasarvāstivāda in Central Asia. They have minor differences from each other and from the Pali or Theravada Vinaya. Because of this, some Theravada monks think that the *vinaya* lineages of the Dharmaguptaka and Mūlasarvāstivāda are in some way contaminated because of the Mahāyāna beliefs of those who follow them.

Only East Asian, and, more recently Sri Lankan, monks have accepted the *bhikkhunī* Sangha in the modern period. Monks in most regions, including Tibetan monks for example, reject it. The interpretation of Burmese monks is interesting because they base their strong rejection of the *bhikkhunī* Sangha on their understanding that it disappeared for a number of reasons, soon after King Asoka’s reign. The reasons they give are its strict rules: the rule that a *bhikkhu* Sangha alone cannot ordain a *bhikkhunī* (*Cūḷavagga*: 463-466), and the *bhikkhunī pācittiya*: rule

(number 82) that allows a preceptor to ordain a *bhikkhuni* only once every two years (*Pācittiya*: p.449). Ven. Saccavādī rejected this last rule as a corruption from brahmanical Hinduism (Religious Affairs 2006: 34), thus applying similar argumentation to Shin Ukkaṭṭha, and interestingly in part through the same route, since it is the Amarapura lineage in Sri Lanka which has supported the nuns' lineage. It is this same Amarapura lineage that was so active in the colonial period in the revival and reform of Buddhism in the direction of what we now think of as global Buddhism.

The SSVC (No.13) declared the concept of *bhikkhuni* ordination to be a false view, *adhammavāda* and *avinayavāda*, on 27 May 2006, at Kabar Aye Hill, Yangon (Religious Affairs: 2006)

The three parties were as follows: The accusers were U Paṇḍita (Thingangyun), U Therinda (Mayangone) and U Ñāṇissara (Mayangone). The accused was Ma Saccavādī (Mayangone). The SSVC (No.13) was U Gandhamābhivaṃsa (Thingangyun), U Cindāsāra (Magwe), U Sirindābhivaṃsa (Bahan), U Aggadhamma (North Ukkalapa) and U Vāseṭṭhābhivaṃsa (Mandalay) (Religious Affairs 2010: 53-54).

After, the Vinicchaya hearing, the SSVC sought to force Saccavādī to recognize their authority. They told her to

- 1) to bow three times to the Sangha
- 2) to remove her *bhikkhuni* robes and dress in the robes of a *thilashin*, a precept nun
- 3) to sign the document admitting she was wrong and
- 4) to read aloud the admission and ask for forgiveness of monks.

According to her own account, she accepted first three, but she refused the last one. Then she was brought to custody and sent to the prison where she stayed for 76 days. Because some of her family members had military background, she was released and given another chance to meet the requirements of the SSC. At that time, she did so, and therefore, she was freed. (U Paṇḍitābhivaṃsa personal communication 22 December 2015; <https://sujato.wordpress.com/2010/02/16/saccavadis-story/> accessed 22 December 2015).

I mentioned that the Burmese view was interesting in that it understood that the nuns' lineage died out shortly after Asoka's time. As has been pointed out by Nagasena and Crosby in their assessments of this case, this view ignores both

commentarial and inscriptional evidence of the survival of the *bhikkhunī* lineage until much later. Nagasena writes,

“The validity of her ordination was rejected by ... the State Supreme Saṅgha Council, on the basis of the fact that the continuity of the Order of *Bhikkhunī* ended during the reign of King Vaṭṭagāminī (103-77 BCE)... Using a number of commentaries, ... the State Sangha Council cited ... the demise of the *Bhikkhunī Sangha* during a war that took place between the King and invaders from South India ... The last recorded mention in the commentaries is of the existence of thirteen members of the *Bhikkhunī Sangha* surviving in a village called Bhātara.” (Nagasena 2012: Chapter one, cited with these ellipses Crosby 2014: 229).

Burmese scholars have possibly identified even later evidence of the *bhikkhunī* Sangha in Burma, with one of the heads of the Sangha being female in the 15th century (Mendelson 1975: p. 54). Ven. Saccavādī's case has been studied in some detail by Cristina Bonnet (2008). For our purposes, what is interesting is that this case rested on commentarial sources, not canonical ones, although canonical sources were used to explain the discontinuation identified in the commentarial sources. In a way, all these sources were irrelevant in that no one disputed that the Theravada *bhikkhunī* lineage had died out at some point. Rather, the case rested on the possibility of the transmission being valid when preserved in one *vinaya* tradition not another, a situation not foreseen in the canonical period when there was only a single *vinaya*. The rejection of the other *vinaya* lineages therefore comes back to the self-identification of modern Theravada as pure, original Buddhism in contrast to other forms of Buddhism. As noted above, Burmese Buddhism retains a particularly conservative position on this topic. Another point to note is that the SSC saw fit to judge this case even though the ordination had not taken place with Burma. Although it is a State, so national, committee, it sees itself as having jurisdiction beyond its national boundaries if a holder of a Burmese passport does something abroad.

14. Aung San: Taw:ya Vāda Vinicchaya (13 June 2006): ‘The judgement on the teaching of Aung San: Taw:ya’

This case was about the meditation practice taught by Aung San: Taw:ya Sayadaw, U Kittisāra, abbot of Aung San: Taw:ya monastery situated in Insein,

Yangon. He taught Mogok methods. At a ten-day meditation retreat he once ran, he taught a core Buddhist teaching on causality, the *paṭiccasamuppāda* (dependent origination) in which he included two controversial points. His *dhamma* talk was subsequently published.

The first point was about Channa, a monk who appears in the Canon. U Kittisāra said that although Channa had practised Vipassana meditation for 45 years during Buddha's lifetime, he could not achieve *nibbāna* because he experienced only an immature Vipassana meditation (*taruṇa vipassanā*) and also because he did not learn the *paṭiccasamuppāda*. However, according to canonical texts, Channa practised Vipassana meditation only after the Buddha passed away and only after he received a *brahmadaṇḍa* (see Chapter One). Thus, it is not possible that he had practised it for 45 years without knowing the *paṭiccasamuppāda*.

The second point made by U Kittisāra was that anyone who practises meditation in the morning in accordance with *paṭiccasamuppāda*, without any interruption of defilement, can achieve enlightenment in the evening of that same day. But according to canonical texts (*Bodhirāja Sutta* and *Jaṭā Sutta*), this is possible only for one who is endowed with mature insight knowledge (*balava vipassanā*) (2010: 57).

The SSVC (No.14) declared these two points to be false doctrine (*adhammavāda*) on 13 June 2006 at Kabar Aye Hill, Yangon.

The three parties were as follows: The accuser was U Visuddha (Mandalay). The accused was U Kittisāra, the abbot of Anug San: Taw:ya monastery (Insein, Yangon). The SSVC (No.14) was U Khemikābhivaṃsa (Mandalay), U Dhammananda (Thuwunna, Yangon) and U Candobhāsābhivaṃsa (Mandalay) (Religious Affairs 2010: 55-57).

Here we may wonder at how two small points drawn from one single act of teaching came to be the basis of a full court case. The accuser of this case, *Aung San: Taw:ya Vāda Vinicchaya*, was U Visuddha (Mandalay), the same monk who was the accuser of the *Mogok Vinicchaya* (case number 12). In both cases, the accused taught Mogok meditation methods. The case of *Mogok Vinicchaya* was judged on 28 May 2005; this case, *Aung San: Taw:ya Vāda Vinicchaya*, was judged the following year, on 13 June 2006. From this it would seem that in the wake of the Mogok verdict the accuser was specifically looking for errors taught by other Mogok followers, and this led to minor

errors being turned into a full blown case. This may reflect in part a concern to contain and control a potentially powerful group.

15. Monyin Myo. Ashe. Yeikthā Kheminda Vāda Vinicchaya (16 August 2006): ‘The judgement on the teaching of U Kheminda in Monyin eastern meditation centre’

This case was about the teachings of U Kheminda, the abbot of the eastern meditation centres in Monyin, Kachin State. He was once the meditation teacher of U Vicittasārābhivaṃsa of Myitkyina, Kachin State, who both followed and taught his teachings. Therefore, this case related to both of them. They were accused of 43 false points in their teachings, 34 points in U Kheminda’s teachings and 9 points in U Vicittasārābhivaṃsa’s teachings. The SSVC summarised the problematic teachings as follows:

One making deliberate controlled in-breath and out-breath (*ānāpāna*), should practise meditation. It is impossible to achieve *nibbāna* by contemplating *anicca* (impermanence), *dukkha* (suffering) and *anatta* (no-self). One cannot gain enlightenment on the basis of practising mindfulness of breathing and mindfulness of breathing does not lead to *nibbāna*. The contemplation of the five aggregates (*khandha*) is a cause of defilement (*kilesa*)¹¹⁴. Practising mindfulness of breathing meditation is wrongdoing. Focusing on the body is *nicca* (permanent); removing the *samudaya* (origin of suffering) is *anicca* (impermanent); without Vipassana knowledge, *magga* (paths) and *phala* (fruits) can be achieved (2010: 59-60).

The SSVC (No.15) held that all these teachings are the opposite of those contained in the canonical texts and thus declared their teachings to be false doctrine (*adhammavāda*) on 16 August 2006 at Kabar Aye Hills, Yangon.

¹¹⁴ *Kilesa* defiles and afflicts the mind. There are ten *kilesa* in *Abhidhammatthasaṅgaha*: *lobha* (greed), *dosa* (hatred), *moha* (delusion), *māna* (conceit), *diṭṭhi* (false view), *vicikicchā* (indecision), *thīna* (sloth), *uddhacca* (restlessness), *ahirika* (moral shamelessness) and *anottappa* (moral fearlessness) (Mehm Tin Mon 1995: 264-265).

The three parties were as follows: The accusers were U Mandalacara (Hopin, Kachin State) and U Narada (Hopin, Kachin State). The accused were U Kheminda (Moenyin, Kachin State) and U Vicittasarabhivamsa, the head of the abbot training school (Myitkhina, Kachin State). The SSVC (No.15) was U Kumarabhivamsa, who has since become the head of the SSC, (Mandalay), U Candima (Thanlyin, Yangon) and U Nandamala (Patheingyi, Ayeyawadi division). (Religious Affairs 2010: 58-64)

16. Myitkyina Vicittasāra Vāda Vinicchaya (17 February 2009): ‘The judgement on the teaching of Myitkyina U Vicittasāra’

This case was about a conception of Abhidhamma taught by U Vicittasārābhivamsa, the junior defendant of the previous case, heard in 2006. When this case came up he was the head of the training school for future abbots in Myitkyina, Kachin State. Very well versed in canonical literature, he had completed five *dhammacariya* degrees in Burma. Not only was he involved in the case of *Monyin myo. Ashe. yeik thā Kheminda Vāda Vinicchaya* (case 15), but the concepts examined in this case are similar to those of *Mo:byā gaing* (case 17, next). For example, the *Mo:byā gaing* does not believe in past and future, and neither did he. Some of his teachings were summarised by the SSVC thus:

There is no past or future, the consequence of which is also nothing.
There is no Brahma realm, no celestial abode and no four woeful states. The woeful states are not in the outside world but within one’s body. There is no life after death. Killing an animal is not sinful. Stealing items belonging to gods, village council, town council and the government is not culpable; trafficking in timber, jade and gems is thus acceptable. A human is born not because of *kamma*, but because of parents. Sharing merit is the practice of those who hold wrong views (*micchādiṭṭhi*). The commentators and sub-commentators knew nothing. Buddha Gotama is a *micchādiṭṭhi* Buddha. (Religious Affairs 2010: 217-221)

The SSVC (No.16) came to the verdict that he was teaching false doctrines (*adhammavāda*). This verdict was reached on 17 February 2009 at Kabar Aye Hill, Yangon.

The three parties were as follows: The accusers were U Maṇḍalācara (Hopin, Kachin State), U Nārada (Hopin, Kachin State) and U Indācariyābhivaṃsa (Kamayot, Yangon). The accused was U Vicittasarābhivaṃsa, the head of the abbot training school (Myitkhina, Kachin State). The SSC (No.15) was U Kumarābhivaṃsa (Mandalay) currently the head of the SSC, U Odatasirībhivaṃsa (Mandalay), U Aggadhamma (North Okkalapa, Yangon), U Candimā (Thanlyin, Yangon) and U Suddhacarābhivaṃsa (Mattaya, Mandalay) (Religious Affairs: 2010).

Some of the teachings summarised here are similar to the modern views of Buddhism found in the west, or in the views of Shin Ukkatṭha. Some of them appear to be deliberately challenging. I think it possible that by offering teachings that were different or new some monks were seeking popularity, and this was a way of challenging the Sangha hierarchy and the status quo in the Sangha.

17. Mo: byā gaing: vāda Vinicchaya (15 November 2011): ‘The Judgement on the teaching of Mo:byā gaing’

This case was about the Abhidhamma teachings of Ashin Ñāṇa of the Mingun hilly region, Sagaing. He claimed to be an enlightened person who, when he was practising meditation, had supernatural power. As noted above, when this claim is made falsely, it breaks the fourth *pārājikā*. Because of his claim, he was put on trial in the town Vinicchaya court and found guilty of *pārājika* offense. He took the case further through the Division Vinicchaya court where he was also defeated. Eventually it was handed over to the SVC, which conducted an investigation in 1983. He also failed there and then announced that he was discarding Theravada Buddhism, to establish a new sect under the name of *paccupanna kammavāda* (doctrine of present action). He exchanged his saffron robe for a sky-blue robe, and thus his *gaing* is known as *Mo:byā gaing* (sky blue sect). Due to his establishment of a new *gaing*, he was subsequently imprisoned for 3 years in accordance with the Constitution of 1974. After completing his jail term, he continued to teach his views. He rejected the concepts of hell, heaven, *nibbāna* or *samsāra*. He also taught that no good comes from giving *dāna* to monks or making offerings to the Buddha. His teaching attracted a large number of followers. Due to his continuation of the *Mo:byā gaing* and other activity, and views, in 1991 he was again sentenced to prison by the government, this

time for ten years. (As we noted above, it became illegal under Act 8 in 1990) He was released in 1998 but once again resumed his public teaching.

His accusers brought 52 points against him, including that he taught the following points:

The Buddha never regarded himself as omniscient, but as a man possessed of three *vijjā* (knowledge), namely, *pubbenivāsānussati ñāṇa* (knowledge of recalling the previous lives), *dibbacakkhu ñāṇa* (knowledge of divine eyes) and *āsavakkhava ñāṇa* (knowledge of elimination of defilement). The Buddha never encouraged disciples to formulate and perform a “Wish (*patthanā*)” (the traditional Theravada practice of transferring merit to a particular purpose).¹¹⁵ The Buddha never taught his people to believe in past *kamma* (the action of previous life) and the consequences of *kamma* in the future, but only in present *kamma*. Regarding the first precept not to kill any living beings, the Buddha meant only to the human beings, not any other beings, therefore, killing the animals is not sinful. In relation to the second precept, not to steal, the Buddha referred to only the property belonging to individuals, not for example to items belonging to society or the government.

The SSVC (No.17) came to the verdict that Ashin Ñāṇa’s teachings were a false doctrine (*adhammavāda*) on 15 November 2011 at Kabar Aye Hills, Yangon.¹¹⁶

The three parties were as follows: The accusers were U Aggañāṇa (Myaungmya, Ayerwady division), U Tikkhindriyābhivaṃsa (Mandalay), U Nīrada (Hopin, Kachin state), U Indācakkabhivaṃsa (Mandalay), U Nandābhivaṃsa (Mandalay) and U Indācariyābhivaṃsa (Kamaryut, Yangon). The accused were the members of *Mo:byā gaing* led by Ashin Ñāṇa. The SSC (No.17) was U Kavindācāra (Thase, Mandalay division), U Candimābhivaṃsa (Thanlyin, Yangon division), U Sobhaṇa (Pakukkhu, Magwe division), U Visuddhācārābhivaṃsa (Mattaya, Mandalay division) and U Vāsetṭhābhivaṃsa (Mandalay).

¹¹⁵ Buddhist people usually wish for something better, for example, I offer this food to the Buddha; by means of this donation, may I be free from mental suffering and physical illness, finally, may I attain *nibbāna*.

¹¹⁶ Even though Ashin Ñāṇa claimed that he converted to *Mo:byā gaing*, and so belonged to a new religious group rather than a Buddhist one, some of his teachings are from canonical texts. Even though his clothes are not monastic, in that he wears sky-blue trouser and T shirt, at the same time he shaves his hair and his followers respect him as if he is a respectable monk. It is probably for these reasons that the SSVC treats him as a monk by using his monastic name as Ashin Ñāṇa.

To date, this 17th case is the last one judged by the SSVC under the instruction of the SSC (Religious Affairs: 2011). Interestingly, some of the critiques of traditional Theravada made by Ashin Ñāṇa can be found in Western scholarship. For example, the transferring of merit is concept often identified in Western scholarship as uncanonical because it contradicts the doctrine of *kamma*. Scholarly interpretations then seek to explain how it came into Buddhism. Suggested answers range from brahmanical influence to adjustments made to accommodate the religious needs of those not ready for the spiritual path. Others seek to accept merit transference as valid by examining intention. The practice in Burma was critiqued along these lines by Melford Spiro (1971), a book which became important in the West. Its importance was partially due to the relative paucity of published works on Buddhism in Burma: after the military coup of 1962 foreigners conducting research in the country faced increasing difficulties.

The Vinicchaya of Shin Ukkatṭha

Although he had a rich and full life, contributing much to nationalism, the defense of Buddhism and education, Shin Ukkatṭha is now probably most famous for his teaching of ‘Die Human Born Human.’ This is the teaching that humans cannot be reborn as a lower being, i.e. an animal. As I explained in Chapter Two, this teaching was in part based on Darwinian evolutionary theory, that since humans are the most evolved animals and evolution does not go backwards, humans cannot become less. He supported this further using the canonical Buddhist teaching that our clinging towards a particular state influences our rebirth and that our clinging towards the human state therefore makes rebirth as a human more likely, as we shall see in more detail below. For Shin Ukkatṭha, rebirth in heavens and hells were ruled out because of the lack of empirical evidence (or direct perception) for their existence. Although he is famous for this one teaching, in the posthumous trial against Shin Ukkatṭha, which took place in 1981, he is accused of 21 counts of false doctrine. Since he had died three years earlier, the accusations were targeted at four monks and three laypeople who were his followers, seen as representing him. Detailed records of the trial were kept, and these records were recorded in a book, entitled *Lūthelūhpyit Vādānuvāda Vinicchaya* ‘The Investigation Judgement into the Die Human Born Human and related teachings’. It was published in 2005. The book contains 1171 pages

explaining details of interrogation, the responses received from the defendants, the resulting decisions for each and the final outcome. Due to its indepth and wide-ranging exploration of Buddhist literature, this book has also been referred to as *Theravada Swe Zon Kyan*: ('The Encyclopedia of Theravada encyclopedia) by the Department of Religious Affairs of Burma (2005: (ga). I shall use a close study of this work to look at Shin Ukkaṭṭha's Vinicchaya in more detail for the remainder of the chapter.

This book contains four major sections: the *codanā* (accusation), the *visesa codanā* (detail accusation), *sodhanā* (response) and *vinicchaya* (judgement). This is a significant for this case, reflecting its complexity. The books for each of the other 16 cases only contain only three process: *codanā*, *sodhanā* and *vinicchaya*.

The three parties involved in this judgement were as follow: The accusers were: U Candimā (Meikthila), U Paññāsīha (Maymyo), U Visuddha (Mandalay) and U Paññāsāmi (tharsi). The accused are: U Ujjotika (Daydaye), U Javana (national), (Taungdwingyi), U Javana (nga sint) (Taungdwingyi), U Chandādhika (Taungdwingyi), Tha khin Myat Saing (Yangon), U Khin Han (Yangon) and U Shwe Pyi (Taung gok). The SSVC (No.2) were: U Ghositābhivaṃsa (Dawei), U Javanābhivaṃsa (Kyobingauk), U Dhammābhivara (Pyay), U Kumāra (Magwe) and U Ñāṇika (Myangmya).

When the *codanā* was heard in front of both parties at the Vinicchaya court, the first three of the seven accused decided to step down and admitted that Shin Ukkaṭṭha's doctrines were wrong. They signed admissions to this effect at the Vinicchaya court. The last 4 of them said that they would defend all the accusations.

Then, the SSVC asked the accusers for provided a more detailed accusation providing a large numbers of references from canonical texts, commentaries and sub commentaries. That detailed accusation is called *visesa codanā* (detailed accusation or special accusation). When the *visesa codanā* was heard at the Vinicchaya court another of the initial set of seven accused, U Shwe Pyi, handed his responsibility over Thakhin Myat Saing. This was because of the logistics of appearing at the Vinicchaya court in Yangon when his native town was in Yakhine State. This meant that four of the original seven accused declined to defend the Shin Ukkaṭṭha's teachings. However, the Sammāditṭhi Sutesana Society and the Shwe Abhidhammā Society were involved in this *Lūthelūhpyit* case because the followers of Shin Ukkaṭṭha established these societies. The president of the former was U Khin Han and of the latter was U Shwe

Pyi. Thus sometimes a member of the Sammādiṭṭhi Sutesana Society, such as U Myint Swe, participated in the defense.

Below I have identified the range of pages dedicated to each of the 21 accusations, each being treated as a case in its own right. I have formulated this information as a table. For example, in the case no.1, *the Materialist (he only believes in matter (rūpa), not in mind (nāma)*, the *codanā* covers pages 9 to 11, the *visesa codanā* 104 to 109, the *sodhanā* 236 to 240 and *vinicchaya* 418 to 453.

Table 7. Page analysis of *Lūthelūhpyit Vinicchaya* book

No	Codanā (accusation)	Visesacodanā (detailed accusation)	Sodhanā (responses)	Vinicchaya (Judgement)
1	9-11	104-109	236-240	418-453
2	11-14	109-114	240-254	454-524
3	15-17	115-120	254-257	524-557
4	17-19	121-125	257-260	557-609
5	20-21	125-128	223-228, 261-262	609-636
6	22-24	128-131	262-263	637-726
7	24-25	131-134	264	726-752
8	26-27	134-138		752-806
9	28-31	138-142	265-268	807-829
10	31-34	143-146	268-269	830-847
11	35-36	146-152	269-271	848-859
12	36-37	153-157	271-272	860-872
13	38-41	158-162	273-274	872-897
14	42-45	162-167	229-230, 275-276	897-924
15	45-52	168-178	276-279	924-1029
16	52-58	178-182	279-280	1030-1042
17	58-62	183-187	281-282	1043-1054
18	62-65	187-194	282-284	1055-1066
19	65-69	195-198	285-286	107-1107
20	69-76	199-202		637-726
21	76-89	203-209	231-233	1108-1139

Table 8. Summary of 21 cases in brief

It would be impossible for me to give a full account of the proceedings and all the arguments that fill this enormous volume, so here I have attempted to give a brief summary of all before providing a more detailed discussion of some aspects. The abbreviation S.U. is for Shin Ukkatṭha and his representatives. I have given some sample textual authorities, but not all. In the first column I have often just given the title of the theory, where that makes the content sufficiently clear, or we have discussed the theory above. I shall look in more detail at one of the cases below.

Number of case	Accusation	Response (supporting argument of accused)	Textual authority	Respondants	Judgement	Textual authority
1	Materialist (S.U. only believes in matter/materiality (<i>rūpa</i>), not in mind/mentality (<i>nāma</i>).	3 matters: Visible and touchable matter, invisible and untouchable matter, invisible and touchable matter	(<i>Siṅgīti Sutta</i>)	Thakhin Myat Saing And U Myint Swe	The world/realisty is made up of mentality and materiality	<i>Visuddhimagga</i>
2	SU's theory of 'Died human, Born human'	A woman clinging to life as a woman would be reborn as woman after death. A man would be reborn in the same way	(<i>Samyoga Sutta</i>)	Thakhin Myat Saing	The are five possible rebirth destinations after death: as deity, human, hell being, hungry ghost and animal	(<i>Mahāvagga Samyutta</i>)
3	SU does not accept the existence of the 31 planes of existence. He accepts only the existence of the human realm and animal kingdom.	The Buddha taught that 'Three lives should be abandoned: the life in the sensual sphere, the life in the form sphere and the life in the formless sphere.'	<i>Bhava Sutta</i>	Thakhin Myat Saing and U Myint Swe and U Khin Han	The 31 planes of existence are to be enumerated as follows: 11 sense realms (<i>kāma</i>), 16 realms of form (<i>rūpa</i>), 4 formless realms (<i>arūpa</i>)	<i>Dhammahadaya-vibhaṅga</i> (in the first book of the <i>Abhidhamma Piṭaka</i>)
4	SU does not accept the doctrine of <i>kamma</i> and its results	1) <i>Nibbāna</i> is the cessation of <i>kamma</i> . 2) One engaging in <i>kamma</i> (doing bad action or good action) cannot be free from the suffering of <i>saṃsāra</i> .	1) <i>Kamma Nirodha Sutta</i> 2) <i>Papāta Sutta</i>	Thakhin Myat Saing	Kamma is individual, causing a living being to experience an inferior or superior life.	<i>Cūlakammavibhaṅga Sutta</i>
5	SU does not accept the concept of past and future time.	"Monks, preach only the <i>dhamma</i> in conformity with the quality of present, timelessness and seeing."	<i>Candūpama Sutta</i>	U Chandādhika and Thakhin Myat Saing and U Myint Swe	Past, present and future times exist.	<i>Anattalakkhaṇa sutta</i> .

6	SU's position is that since the <i>Abhidhamma Piṭaka</i> was not rehearsed at first council, it is not word of the Buddha.	In order to allow one to reach freedom from birth, illness and death, the <i>dhmma</i> and <i>vinaya</i> appear	<i>Tayodhamma Sutta</i>	Thakhin Myat Saing and U Myint Swe	A preceptor (who performs ordinations) must be endowed with the knowledge of Abhidhamma, and Vinaya besides having been a monk for 10 <i>vassa</i> (rains seasons)	<i>Vinaya, Mahāvagga</i>
7	SU impugned the <i>sabbaññutañāṇa</i> (omniscience) of the Buddha	The Buddha said, "One who says that Gotama Buddha is omniscient does not speak in accordance with my teaching.	<i>Tevijjavaccha Sutta</i>	Thakhin Myat Saing	The Buddha is omniscient..	<i>Tevijjavaccha Sutta, Patisambhidāmagga</i>
8	<i>Samatha</i> and <i>Vipassana</i> are not included in the Buddha's teaching			U Khin Han	There are 7 <i>visuddhi</i> , purifications on the path to enlightenment. Purity of <i>sīla</i> and <i>citta</i> relate to <i>samatha</i> ; the remaining 5 to <i>vipassanā</i>	<i>Rathavinīta Sutta</i>
9	SU rejected or deviated from the Vinaya	In the Buddha life time, some monks and brahmins are described practising wrong livelihood, such as performing marriage ceremonies, match-making, giving medical treatment	<i>Subha Sutta</i>	Thakhin Myat Saing and U Myint Swe and U Kyaw Tint	The Buddha taught, "The Dhamma and Vinaya will be your teachers after my death."	<i>Mahāparinibbana Sutta</i>
10	SU insults the monkhood.	This is a misunderstanding. Here the word 'monks' <i>phon:gyī: Yahan:</i> refers to priests and religious teachers, not to the Ariya (noble) Bhikkhu Sangha, such as, Sariputta and Upāli (two of the	<i>Reference to Ukkatṭha's writing for clarification.</i>	Thakhin Myat Saing and U Myint Swe	Because of insulting noble monks, a monastery-donor was reborn as a hungry ghost after his death. <i>Petavatthu</i>	

		Buddha's enlightened chief disciples as can be seen from Ukkatṭha's writing (Ukkatṭha 1963: 82)				
11	SU discouraged <i>paritta</i> chanting	The Buddha taught "Chanting mantras, worshiping the gods, wishing for something... are what I rejected, are not to be followed."	<i>Sāmaññaphala Sutta</i>	Thakhin Myat Saing	A <i>bhikkhunī</i> (nun) learnt and taught <i>paritta</i> in order to protect from danger	Pācittiya section of <i>Bhikkhunī Suttavibhaṅga</i> (Vinaya).
12	SU did not recognise the authenticity of relics	Collecting the bones is not the work of <i>ariya</i> (noble ones in the final stages of the path). it is just for worldlings (<i>puthujjana</i>). It gives no good result. It does not lead to <i>nibbāna</i>	<i>Dhovana Sutta</i>	Thakhin Myat Saing	Even monk's utensils are worthy of respect (<i>Pārājika atthakathā</i>)	
13	SU rejected Buddhist traditions, such as paying homage to the Buddha, offering flowers, etc.	The Buddha taught, "One honoring me with flowers, perfumes and music is not a real honoring. One honoring me with the practice of supra-mundane."	<i>Mahāparinibbāna Sutta</i>	Thakhin Myat Saing and U Myint Swe	The Buddha taught, "One should urge devoted persons to take refuges and precepts."	<i>Mahavagga Samyutta</i>
14	SU rejected Buddhist meritorious activities, such as observing precepts, wishing for better life, etc.	The Buddha taught, "Jīvaka, Buddha is beyond blessing." This means the Buddha does not giving blessing to anyone.	<i>Vinaya Mahāvagga</i>	U Chandādhika and Thakhin Myat Saing and U Myint Swe	<i>Akitti</i> the hermet wished, "May I not see, live and associate with fools." King Vessantara also wished, "May this donation bring me the enlightenment" [Therefore expressing wishes is authorised in the canon.]	<i>Akitti Jātaka</i> and <i>Vessantara Jātaka</i>

15	SU misinterpreted the word ' <i>Upādāna</i> ' (clinging to): such as <i>upādāna</i> means a superstition for example with reference to beliefs such as, 'such a good deed gives a good result in such and such a life.'	<i>Upādāna</i> refers to clinging regardless of whether the clinging to wholesome or unwholesome	<i>Ānañjasappāya Sutta</i>	Thakhin Myat Saing	<i>Upādāna</i> is of four kinds: clinging to sensual pleasure, to view, to habit and to self (all of which are unwholesome)	<i>Mūlapaññāsa</i>
16	SU's theory on <i>ariya</i> (noble ones) and <i>Nibbāna</i> : <i>Ariya</i> is one who can see and hear the objects, thus <i>Ariya</i> and worldlings people are the same as they both can see and hear the relevant objects: <i>Nibbāna</i> can be achieved within the body	The Buddha said, "Māgaṇḍiya, I have seen <i>nibbāna</i> that is the eradication of defilements within the body."	<i>Māgaṇḍiya Sutta</i>	Thakhin Myat Saing and U Myint Swe	<i>Ariya</i> is defined as one who has destroyed the defilements (<i>Abhidhan tika</i>). <i>Nibbāna</i> is outside the five aggregates: body, feeling, perception, formation and consciousness.	<i>Abhidhan Tika</i>
17	SU misinterpreted the <i>Dhammacakkapavattana Sutta</i> , such as, <i>diṭṭhadhamma</i> (state of seeing), <i>pattadhamma</i> (state of hearing), <i>viditadhamma</i> (state of smelling and tasting) and <i>pariyogāladhamma</i> (state of touching and knowing), etc.	The Buddha's first disciple, Koṇḍañña, when he has heard the <i>Dhammacakkapavattana Sutta</i> from the Buddha, has not yet attained Arahantship. Therefore the word ' <i>diṭṭhadhammo</i> ' should be translated with present tense, such as 'the four noble truths should be seen'. It should not be translated 'the four noble truths have been seen', etc.	<i>Dhammacakkapavattana Sutta</i>	Thakhin Myat Saing and U Myint Swe	Koṇḍañña, when he has heard the <i>Dhammacakkapavattana Sutta</i> from the Buddha, has not attained Sotāpanna 'a stream winner', thus the word ' <i>diṭṭhadhammo</i> ' should be translated, 'the four noble truths which have been seen or realized, etc.	<i>Dhammacakkapavattana Sutta</i>
18	SU attributed to the canon, Pali phrases of	Thakhin Myat Saing said that the sentence		Thakhin Myat Saing	The SSVS passed the book of <i>Nidānavagga Saṃyutta</i> to	<i>Nidānavagga Saṃyutta</i>

	his own invention, such as the sentence <i>lokasamudayañca atthi, lokonirodhañca natthi</i>	<i>'Lokasamudayañca atthi, lokonirodhañca natthi'</i> is copied from <i>Nidānavagga Saṃyutta, Kaccānagotta Sutta</i> .			him and asked him to show this sentence. But that sentence is not included in the book. He conceded the point and admitted SU was wrong.	
19	SU mocked the <i>Buddhavaṃsa</i> ('Chronology of Buddha', a late canonical text), such as by saying that the request to the god Setaketu to be a Buddha in the human world by deities means that they were encouraging him to commit suicide, etc.	The Buddha never taught <i>Buddhavaṃsa</i> which includes the word 'the Bodhisatta fulfilled the perfections in four eons and one hundred thousand worlds'. The Buddha said, 'one should not say one world, two worlds----million worlds (<i>Pabbata Sutta</i>)	<i>Buddhavaṃsa</i> and <i>Pabbata Sutta</i>	Thakshin Myat Saing and U Myint Swe	The gods and brahma requested Setaketu to be a Buddha in the human world only when he had nearly completed his life span in the Tusitā. They did not force him to commit suicide. Buddha fulfilled the perfections throughout four eons and one hundred thousand worlds (<i>Cariyāpiṭaka</i>)	<i>Buddhavaṃsa</i> and <i>Cariyāpiṭaka</i>
20	SU spoke detractingly of the Sixth Council Committee, for example, by saying that the participating monks, lacking knowledge and ability, had failed to remove interpolations and correct errors, that they were just day dreaming.			No one	Mahākassapa thought "vinaya is the root of <i>sāsana</i> " so he organised the First Council, then the generation of Upāli, Ānanda, Sāriputta, Mahākassapa and Anuruddha retained all sections	<i>Parajika Atthakatha</i>
21	SU removed some canonical words that they (SU and his followers) did not like. For example, when <i>Brahmajāla Sutta</i> was translated into Burmese,	Some of the text included in the canon were not preached by the Buddha, such as the <i>Kathāvatthu</i> .		U Chandādhika	<i>Musāvādaṃ pahāya musāvādā paṭivirato...</i> Having desisted from telling lies... <i>Pharusañ vāsaṃ pahāya</i>	<i>Brahmajāla Sutta</i> (and a premise about the history of councils).

	two paragraphs were removed in relation to the precepts against <i>musāvāda</i> (telling a lie) and <i>pharusavācā</i> (harsh speech)				<p><i>pharusāya vācāya paṭivirato...</i></p> <p>Having desisted from harsh speech.</p> <p>(<i>BrahmajālaSutta</i>)</p> <p>Those who criticized the canonical texts preserved by the six councils [see Chapter One] are holders of wrong views.</p>	
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Further discussion of some of the 21 cases against Shin Ukkatṭha

Some of the cases refer to core beliefs and practices of Theravada Buddhism. I shall therefore explain and contextualise some of the terminology and the arguments outlined in the summary of the cases in the table

In case 1, there is a reference to *nāma* and *rūpa*. This is a basic analysis of reality into ‘naming’ or cognitive processes, so mentality and ‘form’, the physical aspects of reality. It is found in other early Indian religious systems such as *Sāṃkhya* so is an early categorization of reality adopted and adapted by Buddhism. The SSC called him a *rūpavādī* (a materialist) because he did not believe that the four mental aggregates separately affect our life. According to him, the *vedāna* (feeling), *saññā* (perception) or *viññāṇa* (consciousness) are not possible if there are no physical elements in the body, and these minds are broken down and collapsed at our death. He, however, did not completely reject rebirth as he seems to have accepted the theory of dependent origination (*paṭiccasamuppāda*). According to *paṭiccasamuppāda* theory, the desire forces the beings to cling to and become some forms of life in the future; nevertheless his theory of rebirth appears to have many conditions. He said that if a person has a strong desire to be reborn in another life, it is only possible in the form of a human being (see case 2). But if the same person does not have a desire to a life at all or if he is able to remove his desire, death will be the end of life. Therefore, the mental life after the death is not possible because the body has already broken down. It is when we see how Shin Ukkatṭha’s materiality influenced his understanding of other aspects of Buddhism that we see why it was significant to place this point first.

The 31 planes of existence mentioned in case 3 is the standard categorization of the universe in Theravada Buddhism into the lower realm of sensual physical world, the higher, non-sensual physical realms and the levels of no form. The understanding of the universe as being made up of these realms was challenged by the introduction of the heliocentric world view from Europe during the European colonial period. Shin Ukkatṭha wrote, “No scientist has proved other planets exist though they can reach up to the moon. [They don’t need to, we can see them with our own eyes.] Mount Meru [which forms the centre of the 31 planes of existence] cannot be found [by science or our eyes].” In other words, he is rejecting the model of the universe with Mount Meru at the centre. As a result, he believed that out of 31 planes

in Buddhism only 2, i.e. human and animal planes, exist. Only they can be seen with our own eyes. This belief of his has implications for other cases below. Thus since there are no heavenly realms, he rejects *Abhidhamma*. For the *Vinaya* and *Sutta Piṭaka* were rehearsed by humans at the 1st council, but Buddhists believe the *Abhidhamma Piṭaka* was preached by the Buddha to his former mother, now a deity, in Tavatimsa, the 2nd celestial world. If there's no heaven and no deities, then no original teaching of the *Abhidhamma* by the Buddha.

The doctrine of *kamma* refers to the fundamental understanding of causality in Buddhism, namely that one's actions of body, speech and mind are what determines one's future identity and experience over multiple lifetimes. Shin Ukkatṭha did not believe the result of the past action and the cause for the future as he had been holding the view that a successful life is nothing to do with the past, not a result of the past action; nor will the good action in this life be the sources of happiness in the next life. His view is similar to *akariyavāda* (non-belief in the cause and effect) mentioned in the *Sāmaññaphala Sutta* of *Dīghanikāya*.

Samatha and *vipassanā*, 'tranquility and insight', mentioned in case 8, are two results of meditation practice, which in Buddhaghosa's 5th century summary of the path to enlightenment, the *Visuddhimagga*, literally 'path to purity/purification'. Buddhaghosa's path is divided into seven levels of purification. The first is good conduct, *sīla*, covered in the first section of his treatise. The second is *samatha* based on the 40 meditation subjects, covered in the second section of his treatise. The third to seventh are levels of insight based on experiential understanding of higher levels of truth expounded in *abhidhamma*, culminating in the four stages and fruits that make an individual 'noble', i.e. destined for enlightenment or enlightened. The *Visuddhimagga*'s systematisation has canonical basis in the *Sutta* identified by the SSVc. On the basis of this systematization the terms *samatha* and *vipassanā* become associated with specific meditation practices such that in modern Burma the terms refer to types of practice rather than the outcomes (Crosby 2013: 12-14). It is possible then that the debate Shin Ukkatṭha envisaged here was within the developments in Burmese meditation that were gathering momentum during his lifetime.

Paritta chanting mentioned in case 11, refers to the reciting of certain protective (*paritta*) texts, mainly from the canon to provide protection and ensure success in any endeavor. While canonical, and at the heart of most Theravada ritual

occasions, many scholars have critiqued them as not being in conformity with the teachings of *kamma* and self-reliance that they see as being the spirit of the Buddha's message (Crosby 2014: 224-231). Shin Ukkatṭha regarded *paritta* chanting as a kind of trick that persuades the people to get involved in the religious ceremonies in the hope of achieving protection from the dangers. Shin Ukkatṭha rejected the practice of people going to pagodas to pray for success in life and for help in overcoming their problem or illness. Shin Ukkatṭha was therefore engaging in the anti-ritualistic critique of the Buddhist tradition found both within and without Burma during his lifetime.

In case 12, the topic is relics. Relics, in Pali *dhātu* or essence, are the physical remains, e.g. hair, pieces of bones from the cremation), objects used, e.g. bowl, *dharma* relics, i.e. things connected with his teachings, and reminder relics, i.e. images of the Buddha or enlightened beings, including of monks believed to have achieved enlightenment (Strong 2004: Introduction). Usually the reference is to the first two, physical remains and things that have been in physical contact with the Buddha. A common motif amongst reformers, global Buddhists and scholars has been to assume these are part of developed religion, accommodations of the Buddha after death, and a strong tendency has been to assume that they are part of lay religion. Shin Ukkatṭha is thus again engaging in a critique of developed Theravada. Recent scholarship has recognised the place of relics in Buddhism, while Strong's in-depth study examines them as extensions of the Buddha's biography, a link with the past and present. In Burma two of the most sacred sites are the Shwedagon Pagoda, believed to house the hair relics of the Buddha, and the Mahamuni in Mandalay, the most sacred Buddha image believed to have been made in the Buddha's likeness when he made a visit to Arakan during his lifetime (Schober 1997, Crosby and Kyaw 2013). Worship of images including the Mahamuni with offerings are central, daily practices in Theravada, including in Burma. The same issues and doubts about relic practices and their place for monks apply to image worship and worship in general, including the worship of monks. This is the background to case 13. Shin Ukkatṭha criticised the monks who preached to the devotees that by donating offertories to the monks and temples, one can obtain a happy life in the future. This is, according to Shin Ukkatṭha's view, a kind of trick to receive donations from the ignorant and innocent laities.

In case 15, the term *upādāna* is the term for grasping onto or clinging. This is a key concept in the Buddhist understanding of what traps us into *saṃsāra* and it is the opposite of non-attachment, which we should cultivate. Shin Ukkatṭha would accept that definition. However, the case is about Shin Ukkatṭha giving a more modern interpretation of this to mean clinging to views, which he himself regarded as being false views, or superstition, even if they were found in the canon. He used this term in a much broader sense than that found in the canon, the latter view being that given in the SSVC judgement.

Case 2

The main case, and the one for which this entire *Vinicchaya* is famous, is case Number 2, Die Human Born Human. One can see in what great detail it was covered by looking at the proportion of the volume dedicated to it. While the accusation took up just six pages (109-114), and the defense took fourteen pages (240-254), seventy pages (454-524) were dedicated to the SSVC's judgement of the case. In the table below I give more detail on the textual authorities use and the multiple arguments drawn on to refute this one case. In a sense it was the easiest case to refute, yet there are various ways of refuting it and the SSVC addressed it from multiple angles.

Table 9. Texts used by SSC to support judgment that Shin Ukkatṭha guilty of promoting false *dhamma*

Authoritative text used by SSC	Pages of <i>Vinicchaya</i> Case Publication	Why were these used (what teachings/evidence)
The <i>Dhamma-cakka-pavattana-sutta</i>	459-460	<i>yāyaṃ taṇhā ponobhavikā</i> - "Craving causes rebirth"
The <i>Nidānavagga-Saṃyutta</i> , the <i>Atthirāga Sutta</i>	461-463	Attached to food, <i>viññāṇa</i> , <i>nāmarūpa-maraṇa</i> arises, but the nature of one's only depends on Kamma
The <i>Saḷāyatanavagga-Saṃyutta</i> , the <i>Kutūhalasālā-Sutta</i>	463-465	After death and before relinking to another life, the sentient being has craving (not just like fire burning on air)
The <i>Rāhulovāda Sutta</i>	465-466	<i>Vāyo</i> is to be the focus for <i>vipassanā</i> . it is not <i>Upādinna</i> staying in the air after died.
The <i>Sagāthāvagga-Saṃyutta</i> , the <i>Mallikā Sutta</i>	466-469	One loves oneself most, but don't depress others for one's good, (not about next rebirth).

The <i>Mahātaṇhāsāṅkaya Sutta</i>	472-473	3 causes for rebirth (<i>paṭisandhi</i>) (not human to human, animal to animal, showing blood, dream etc)
The <i>Samyoga Sutta</i>	474-476	Clinging to female life or male life, they cannot escape from becoming female or male in next life (<i>sakkāyadiṭṭhi bhavataṇhā</i>). it does not mention about <i>Lūthelūhpyit</i> .
The <i>Silakkhandha-vagga</i> , the <i>Subha Sutta</i>	479	The story of a person called Todeyya, who is reborn as a dog in his son's house, showing that one can be reborn in a lower form than a human.
The <i>Nakhasikha Sutta</i>	498-501	The amount of sand that fits on the nail. Only that proportion of humans are reborn as humans after death.
The <i>Puggalapaññatti (Abhidhamma)</i>	504-505	On who had eradicated 5 lower bondages will be born in Brahma world (as a god) never return to human life.
The <i>Paṭṭhāna (Abhidhamma)</i>	507-508, 512-513	Every moment of wholesome and unwholesome results in its relevant mind and kammic matter.

Conclusion

I have now summarised the 17 cases involving the SSVC, looking in more detail at Shin Ukkatṭha's. There have been relatively large gaps in the holding of cases and I am not sure of the reason for this. For example, there is a gap of ten years between case 10 and case 11 and a seven year gap between case 11 and case 12. I have not yet detected any pattern to this. It may relate to the broader political picture, or it may simply depend on when the accusers started their accusation. Alongside this, we should note that the fifth All *Gaing* Sangha Convention did not take place until 2014, meaning that there was a near 20 year gap between 1995 until 2014. It was supposed to take place every five years. On the other hand, the last seven cases took place during those periods, meaning that the SSC continued to be active in setting up of SSVC to look into cases, even if they were inactive in bringing the Sangha together for its Convention.

According to U Nyunt Maung (2010: 69-70), in addition to these 17 cases, there were three others cases also known as *dhamma/adhamma* and *vinaya/avinaya*: i.e. *Ñāṇasāgī Vāda*, *Su:le U Myint Thein Vāda* and *U Myat Thein Tun Vāda*. The *Ñāṇasāgī Vāda* was judged by the SVC as *adhammavāda* in 12 January 1982. Although *Su:le U Myint Thein Vāda* ought to have been judged by the SSVC, since the accused were already

dead, the SSC, on 22 February 1983 merely instructed the Town Saṅghanāyaka Committee to prevent the now proscribed material from being disseminated. *U Myat Thein Tun Vāda* was judged by the Letpadan Town Saṅghanāyaka Committee as *adhammavāda/avinayavāda*. The SSC recognised the judgement *adhammavāda/avinayavāda* and no further action was taken. The SSC on 25 May 1983 just instructed the Town Saṅghanāyaka Committee to be aware of the *U Myat Thein Tun Vāda* to prevent it from continuing.

In most of the 17 cases the verdict was derived from canonical texts, and rejected more liberal, agnostic or even antinomian interpretations that reflected particular responses to the challenges of the colonial or modern, or interpretations that may have been based on knowledge of other Buddhist traditions or the experiences of meditation. In some other cases, commentarial texts were crucial, meaning that while there was no particular *buddhavaṇṇa* statement on an issue, the commentarial view had become canonised. In a few cases, the accused was also familiar with commentarial texts, and the verdict came down to the judges deciding with one plausible interpretation rather than another. Furthermore, the judges were selective in relation to which evidence they allowed, disallowing or ignoring certain commentaries. This suggests that maintenance of unity and Burmese tradition are important factors in the decision making process. Another issue worth noting is the jurisdiction the SSC perceived itself to have: beyond national boundaries and into areas of personal belief. The latter in turn raises the issue of whether religious belief is a private or public affair, a point I shall return to later in the conclusion to this entire thesis. While in summarising the topics and verdicts here, I have perhaps done a disservice to the complexity of the cases, in the the case of Shin Ukkatṭha I tried to be more comprehensive.

This closer look at the Vinicchaya against Shin Ukkatṭha reveals the range of scriptural authority brought to bear in these cases, from each of the *piṭaka* of the Pali Canon, mainly from the *Sutta Piṭaka*, but also from *Vinaya* and *Abhidhamma*, as well as commentarial literature and treatises, in the form of the lexicon, the *Abhidhan Tīkā* (above). In places one might read the quotations as a counterview, in others we find a thorough refutation. In those cases where it might look like the simple statement of a counterview, we must bear in mind that while scholars and Shin Ukkatṭha himself treat the canon as layered and coming into being in a composite fashion over

centuries, the orthodox view is to treat the Canon as monolithic. This means that a counterview cannot exist. Counter evidence therefore functions also as a refutation. We also note from the above description of the case that while Shin Ukkatṭha based his positions on multiple sources of evidence or criteria of knowledge (*pramāṇa*) in the system of Indian dialectics in which Shin Ukkatṭha had trained, the defense in the Vinicchaya case can only have recourse to recognised textual authorities. This rather constrains the debate, since Shin Ukkatṭha's defendants must find supporting evidence in a body of literature than Shin Ukkatṭha himself regarded as unsound. His regarding of this evidence as unsound is indeed the final case made against him (case 21). Therefore the nature of the evidence could not be disputed in the way it might be in any other court, since not accepting the nature of the evidence was itself being upheld of a crime.

The Burmese government usually takes action for offenses relating to Religion with the following punishments, so often a combination of punishments in accordance with the Myanmar Penal Code (Section 15, Act 295). For example, "whoever injures or defiles a place of worship, with intent to insult the religion, shall be punished with imprisonment for a term which may extend to two years or with fine, or with both. According to Myanmar Penal Code (Section 15, Act 295A), whoever deliberately and maliciously acts intended to outrage religious feelings of any class by disturbing religious assembly, shall be punished with imprisonment for a term which may extend to two years, or with fine, or with both." (Myanmar Penal: <http://www.burmalibrary.org/show.php?cat=1860> last accessed 22 December 2015). These rules apply to all religions. It is mainly in relation to this act that the government arrests people in relation to religion, a precedent which goes back to the colonial period.

In addition, according to Sangha Organisation Act prescribed by the State Law and Order Registration Council in 1990, Section 3 Act 10, whoever intends to create disunity in the Sangha through persuasion, motivating, preaching or publishing, shall be punished with imprisonment for a term of between six months and three years. Act 5 of the same section offers the same sentence for anyone establishing new *gaing*, and Act 9 for a person guilty of setting up a sangha organisation not under the control of a Sanghanāyaka. Anyone not obeying the Vinicchaya court can be sentenced to up

to 6 months imprisonment, as happened with Ven. Saccavādī (Religious Affairs 1990: 3-4).

Thus, this act can be used against anyone in relation to Burmese Theravada. In summary, the following acts and penalties apply (see Appendix IV for full list of legislation relating to the sangha during Shin Ukkatṭha's lifetime):

- **Myanmar Penal Code 1861, Section 15, Act 295:** two years imprisonment for insulting religions.
- **Sangha Organisation Act, 1990, Section 3 Act 5:** 6 months to 3 years imprisonment for the new establishment of *gaing*.
- **Sangha Organisation Act, 1990 Section 3 Act 9:** 6 months to 3 years for establishing any Sangha association (not *gaing*), such as *Young Monks Association*, outside the control of the Saṅghanāyaka concerned.
- **Sangha Organisation Act, 1990 Section 3 Act 10:** 6 months to 3 years for organising, motivating, preaching and publishing harmful to a Saṅgha organisation.
- **Sangha Organisation Act, 1990, Section 3 Act 11:** 6 months imprisonment for not obeying the vinicchaya court.

Shin Ukkatṭha was found guilty on all counts. The defendants then signed their acceptance of the verdict. In other words, they admitted fault, which meant that there would be no further penalties if they agreed to stop promulgating these false teachings. The consequence of the guilty verdict was that Shin Ukkatṭha's following almost disappeared and this form of modernized, reformist Buddhist more or less disappeared from the Burmese religious landscape.

Conclusion

In this thesis I set out to answer the following questions:

- 1) How did it come about that a monk, who gave his life to protecting Buddhism, to educating Burma's poor, and to the nationalist cause, could be judged to be heretical by Burma's highest Sangha authority?
- 2) What influences led him to reach views which clearly have no authority in the Pali Canon?
- 3) How were views current in mainland India in the emerging global Buddhism such an anathema to the Burmese Sangha?
- 4) Why did the Burmese Sangha, in contrast to Sanghas of other Theravada nations, develop such a stringent process for ensuring centralized conformity and how does that process work?
- 5) Why did Shin Ukkatṭha stick to his views in the face of the Sangha hierarchy's opposition and the lack of canonical support?

I hope to answer all these questions here in the conclusion, in part drawing on the evidence and discussions of this thesis, and in part bringing in some new considerations on the nature of Buddhist discourse in the colonial and post-colonial periods.

I have examined the issue of the governance of the Sangha from the canonical period to modern Burma, culminating in a focus on the modern Vinicchaya cases under the State Sanghamahānāyaka Committee. I have explained the political context for the developments in post-Independence Burma, and shown the impact of the British colonial period on the Sangha and monastic expectations. I have also suggested that while the reforms of the Sangha management in Thailand under Field Marshal Sarit may have been a model for Ne Win, some of the differences between the two reflect the disruption and effects of the British period. These are also seen in how the kinds of resistance by monks in Thailand and Burma differ.

I have examined the life and times of Shin Ukkatṭha to understand how he fared in these circumstances. How did this learned and nationalist monk come to be the subject of the second and most famous of the Vinicchaya cases held by the SSC? Here I wish to turn specifically to that issue: the nature of the SSC judgements and the nature of Shin Ukkatṭha's position. Why were they in conflict? In examining the

broader context of emerging global Buddhism and related networks during this period, I identify influences informing not only his distinctive religious views but also the way he expressed his nationalism and other political views in the form of the school he established, his writings and the debates in which he engaged.

The disputes and divergences between Sangha groups and individual monks in Burma are often cast in terms of a contrast between those monks who “strictly adhere to the Vinaya, especially those with a strong command of Pali canonical and extra-canonical texts, and those who rely on the traditions passed down by their teachers” (Charney 2006: 26). As Charney points out, successful Buddhist traditions, as seen in the Thudhammā reform of the 18th century, won royal support through “displays of textual erudition and memorization.” (*ibid*). These two criteria for success as a monk in Burma have continued into the modern period, with various facts in the colonial period leading the Sangha hierarchy to look back to the model and conservatism of the Thudhammā Council. Consequently, the State Saṅghamahānāyaka Committee (SSC) uses the Pali textual corpus as the yardstick against which to judge those brought before it. Moreover, as we have seen in the cases outlined and in the case study explored in detail in Chapter Three, in the Vinicchaya cases only Pali canonical and commentarial texts are judged to be valid criteria for assessing what is right and wrong.

The erudition of the five judges in the Vinicchaya cases convinces the broader public of the accuracy of their judgements. The indepth records of the Vinicchaya cases that have been published reveal detailed textual referencing to refute the positions of the accused. This emphasis on Pali canonical and commentarial knowledge in the SSC cases reflects the heritage of the Thudhammā reforms and the reaction against secularisation that took shape in the colonial period. We can also see continuity in the selection and deselection of canonical, commentarial – and inscriptional – evidence, similar to that identified in the famous Atula debate that at the dawn of the modern era placed the Thudhammā monks in the central position of power. This we saw when examining the discussion of meditation in the first case, the Saccavādī case and – arguably – the *sīmā* cases. Here we find commentarial works have more significance for the discussion than canonical works, alternative canonical and commentarial readings noted by scholars are not brought into the discussion as the body of literature is assumed to be monolithic, and no attention is paid to

inscriptional evidence which has been noted by scholars. Therefore, tradition is still a factor as to which criteria are accepted. The variations in authority and their relative ranking may be minor, but are significant for the outcome.

Although the Vinicchaya judges are learned, the monks who find themselves accused can also be just as learned, as was the case with Shin Ukkatṭha. However, they may offer teachings that differ from what is found in the Canon. This may result from the developments one sees in a living tradition. Alternatively, they may see it to be appropriate to adapt or reevaluate either our understanding of Buddhism, or the accuracy of the text, in the light of scientific findings not available at the time the texts were compiled. In other words, they hold a relativist or a revisionist attitude towards scriptural knowledge. Shin Ukkatṭha himself held such a revisionist approach as we shall see below.

In all of the seventeen Vinicchaya cases that have taken place to date, the accused were found guilty. This leads to the perception that to be accused is to be found guilty – only the process awaits. However, in some cases, the extent of misconduct and severity of the penalty were modified, as in the case of the Mogok Sayadaw (case 12). Perhaps this is because the errors were genuinely minor. Perhaps Mogok's existing international reputation placed him partially outside the jurisdiction of the court and created a desire to avoid external scrutiny or engagement.

In the case of Shin Ukkatṭha, it was relatively easy for the SSC to find him guilty. As he himself was the first to point out, his teachings clearly go against some passages found in the Canon and the commentaries. Shin Ukkatṭha had left the Sixth Council in dismay at what he saw as the gullible acceptance of all the texts attributed to the Canon in the Fifth Council stone slabs. He had anticipated a critical edition that not only considered minor alternatives as found in the different manuscripts and editions used, but assessed whether entire textual passages and even texts should be accepted as canonical.

Shin Ukkatṭha justified his position on the canonical and commentarial corpus using arguments from inside the tradition. The Burmese had previously, for example in the Atula case, rejected certain commentaries as unreliable and not in conformity with the Canon. According to Shin Ukkatṭha, Sri Lankan monks had not only introduced such false commentaries, but also false canonical texts. One argument he

gave was based on the description of the First Council preserved in the canonical *Cullavagga*. In it there is no mention of the entire Abhidhamma in the account of the rehearsal of the Buddha's word at the First Council. Furthermore, the description of its origination in heaven, where the Buddha's mother had been reborn as a goddess, was, for him obviously false, since there was no evidence for heavens and hells – the origination myth of the Abhidhamma was thus a fabrication. What we notice here, even in this argument along Buddhist lines, is the influence on Shin Ukkatṭha of the western knowledge systems that had begun to have their impact on the Burmese court in the 18th century (Charney 2006). Shin Ukkatṭha combined textual criticism with scientific developments in the understanding of the universe to reject the Abhidhamma. This was the Piṭaka of the three that make up the Pali Canon, that had, by the time of the Sixth Council, become crucial to Burmese Buddhist identity.

While textual fundamentalism would win out in Burma, some monks persevered in attempting to reconcile new scientific learning with Buddhism. Such monks included the national martyr U Ottama, whose arrest for his outspoken criticism of Craddock took place in 1921, the year when Shin Ukkatṭha was in Yangon specifically in search of English and western learning. The following year Shin Ukkatṭha set off to Calcutta, initially following in U Ottama's footsteps. It is possible, though I have no confirmation of this, that his trip was directly inspired by U Ottama and his arrest. On the other hand, although he went alone, he was not alone: many were traveling in India at that time, searching for spiritual truth, participating in the independence movement, engaging in political and religious debates, and participating in the revival of Buddhist sites and Buddhism.

Shin Ukkatṭha set off for India armed with recognised expertise in Pali literature, with a gift for writing prose and poetry, and with both curiosity for and concerns about other knowledge systems. Whether or not he was consciously seeking broader knowledge in order to defend Buddhism, that is in fact what happened in India. It was in India that Shin Ukkatṭha met with experiences, sources of knowledge and ways of thinking that would influence his later life. These included fellow Burmese monks such as Shin Ādiccavaṃsa, who encouraged him in debate, even to the point of controversy, and who was open to new ideas even to the point of rejecting Buddhism. Others he met included those involved in the Indian independence movement. This fuelled a resentment of the British that had started

with the impoverishment of his own family, and continued with the ongoing situation in Burma he experienced for the first half century of his life.

The ideas Shin Ukkatṭha developed in India culminated in the nationalist ethos and activities of the school that, upon his return, he established specifically to raise the Burmese up out of poverty. The name of his school, Okata Mission School, reflects the earlier response to colonialism in Sri Lanka spearheaded by Anāgārika Dharmapāla and the Theosophical Society. Both of these were influential on Shin Ukkatṭha during his time in India, as explored in Chapter Two. Shin Ukkatṭha defended Buddhism in debates throughout India. He contributed to the Mahābodhi Society set up as part of the movement begun by Anāgārika Dharmapāla four decades earlier, to wrest the ancient Buddhist sites of the Buddha's life story from their Hindu custodians and out of obscurity. This objective was fulfilled by India's first post-Independence government. As part of this process, Shin Ukkatṭha participated in the ongoing definition of Buddhism as something apart from Hinduism. This identity was given additional importance by the role of Indians in the colonial administration of Burma. While Ādiccavaṃsa declared himself willing to relinquish Buddhism if he found something better, a higher truth, Shin Ukkatṭha sought to reform from within, and never considered leaving the Buddhist fold.

We can also see the influence of his time in India on his reformist approach. It seems that he set out as a conservative monk, but came back with different views. While in India he successfully defended Buddhism against other religions in debate, as we saw in his defense of the Theravada position on meat-eating. However, after his return he drew on what he had encountered, turning the arguments in favour of vegetarianism on his fellow Buddhists. I would now like to propose that other aspects of the culture he experienced in India influenced his attitudes towards debate and textual authority, and towards the fundamental Buddhist doctrine of rebirth. The attitudes he arrived at made his position fundamentally irreconcilable with that of the SSC.

The move towards the creation of textual editions of the Canon in Burma and elsewhere has in part been explained by the fear of the demise of the *sāsana* (Frasch 2012, Braun 2013). To stem the decline of the *sāsana*, kings (and governments seeking Buddhist credentials) have the duty to sponsor monks to rehearse, reaffirm and reproduce the *dhamma* to prevent further decline. The importance of the introduction

of the printing press has been noted in this process, especially in relation to the first ever printed edition of the Pali canon, the Chulachomklao Tipiṭaka in 28 volumes sponsored and distributed by King Chulalongkorn of Thailand in 1893 (Crosby 2013: 66). It could be said that the scrutiny of the texts for purity goes back to the Third Council under Asoka, which has proved to be a pivotal moment in Theravada's self-defining history. All the other 'Councils' since then have been concerned with confirming the textual transmission, the veracity of the text as originally passed by Asoka's son Mahinda to Sri Lanka (Chapter One). Yet there is an affinity between this process and European textual editing. The European colonial period of transmission of western views to Asia coincided with the rise of textual criticism in Europe, which ultimately aimed to produce critical editions. The production of critical editions involves the comparison of multiple manuscripts in order to try to ascertain the text that is closest to the original (or to the original of a particular recension or branch of the text) (Skilton 2000). It relies on both external criteria and internal evidence. External criteria include such things as the date of the first physical witness, any epigraphical evidence, and representative geographical spread, for example. Internal evidence relates to scribal practices, such as the tendency to simplify or homogenise the text or – importantly for Shin Ukkatṭha's purposes – that of adding to the text. The process of producing critical editions in the modern sense originated in 18th-century biblical studies, yet is clearly akin to the process of purification found within Theravada textual history. This is attested by the existence of the Councils and by the discussions of foundational commentarial scholars such as Buddhaghosa about matters such as what were perceived to be additional wording that had crept into formulae (Crosby 2000). Critical editions record variations and sometimes justify inclusions and exclusions, unlike the 'corrected' texts of the earlier Buddhist councils. The texts of the Sixth Council, unlike, as far as we know, the texts produced at earlier councils, do record some of the (relatively minor) variations between manuscripts of canonical and commentarial texts.

The production of textual editions was also part of the colonial project, the so-called Orientalist claim to power over the source texts of the religions that Europeans now sought to govern. The project of King Chulalongkorn (r.1868-1910) also fits within this picture: the imposing of central authority on a previously diverse region (Crosby 2013: 57). The Pali Text Society is thus seen as part of this process. It was

started by a former colonial judge who learnt Pali in order to examine authoritative sources directly, yet done in cooperation with Pali scholars from throughout the Theravada world, because of the overlapping interests in this process. However, if we look at textual endeavours taking place in India during Shin Ukkaṭṭha's stay there, we find some interesting differences between textual editions produced there and those produced in the Theravada world. One of the texts studied by Shin Ukkaṭṭha in India was the great epic, the *Mahābhārata*. Although not as early as the Vedas, it is a foundational text for Hinduism, dating back to the third century BCE and subsequent centuries, i.e. the same period as that of the formation of the Buddhist Canon according both to scholarship and – if one accepts the Third Council as the date of closure – Buddhist tradition. One of the greatest editing projects that took place in India, one might say in the world, and lasting much of the 20th century, was the critical edition of the *Mahābhārata*, undertaken by a team of Sanskrit pundits at the Bhandarkar Oriental Research Institute (BORI) in Pune. The edition's first volume was published in 1919, just three years before Shin Ukkaṭṭha's arrival in India, and the last of the 18 editions was published in 1966, the year Shin Ukkaṭṭha published his *Response to the Pakāsanīya*.¹¹⁷ The text used 1,259 manuscripts and contains extensive critical apparatus indicating variants, and indicating extensive passages excluded from the text proper even though found in multiple manuscripts. As the website claims, "Edited by the likes of V.S. Sukhtankar, S.K. Belvarkar, S.K. De, Prof. Dr. R. N. Dandekar, the Critical Edition enjoys the status of one of the most prestigious and appreciated editorial work [sic.] of the world." (http://www.bori.ac.in/mahabharata_project.html last accessed 14 December 2015). Interestingly, the BORI critical edition of the *Mahābhārata* routinely excludes large passages of text.

Now, the history of the preservation of the *Mahābhārata*, with its great range of regional diversity, and wealth of oral and performance traditions alongside written transmissions, is rather different from that of the Pali texts. There is a substantial range of Theravada literature that until at least the end of the 19th century was in various regions widely accepted as authoritative and canonical, but which nonetheless has not been included in any of the editions of the Pali Canon. Much of it

¹¹⁷ Additional volumes of the *Mahābhārata* edition followed, commencing with the text of the *Harivaṃśa*.

is in vernacular language, but some of it is in Pali. Recent scholarship has termed this material extracanonical or apocryphal Pali literature. Shin Ukkatṭha was aware of this process of decanonisation, and used it in his arguments, for example when he rejected Burmese culture's prohibition of shoes in monastic compounds by pointing out that the authorising narrative about King Bimbisāra was not to be found in any of the recognised canonical texts or commentaries (Chapter Three). It is clear from his comments in relation to the Sixth Council that Shin Ukkatṭha expected a process similar to the one applied to the BORI edition of the *Mahābhārata* to take place. He expected texts identified as interpolations to be excluded. When they were not, he left the Sixth Council. In fact, he sought to be more radical still, to use forms of higher criticism to analyse the content diachronically. To do this, he sought to apply criteria that rested on the understanding that the Buddha's initial message was primarily rational and scientific.

Within Burma, the understanding of Buddhism as scientific, i.e. in accordance with empirically verifiable knowledge as far as that has been developed, is epitomised by the work of the Burmese minister Hpo Hlaing (1830-1883), and that of the founding father of the Burmese Vipassana meditation movement, Ledi Sayadaw (1846-1923). The assumption that true Buddhism was scientific was also important amongst reformist Buddhists in lowland Sri Lanka, amongst revivalist and newly converted Buddhists in India, and amongst Theosophists. Donald Lopez writes,

The Theosophical Society was founded in New York in 1875 by Madame Helena Petrovna Blavatsky and Colonel Henry Steel Olcott. Its goals included ... the encouragement of studies in comparative religion, philosophy, and science; and the investigation of unexplained laws of nature and the powers latent in man. It was in many ways a response to Darwin, yet rather than seeking in religion a refuge from science, it attempted to found a scientific religion, one that accepted the new discoveries in geology and embraced an ancient and esoteric system of spiritual evolution more sophisticated than Darwin's. (Lopez 1998: 49-50).

The branches of the Theosophical Society and the Mahabodhi Society had close, long- standing relations, with both receiving support from Arakanese and

Burmese Buddhists. The Bengal Theosophical Society was established in 1882 and stood next to the Mahabodhi Society Hall, founded in 1891, on College Square in Calcutta (Dutta 2003: Chapter 2). The Mahabodhi Society Hall is where Shin Ukkatṭha stayed when he arrived in Calcutta in 1922. Its discussions and debates coincided with his own interests, and later he was hosted by members of the society, for example in Amritsar (see Chapter Two).

The ways in which Theosophy drew on both Buddhism and science, very explicitly including Darwinism, can be seen in the highly influential writings of Walter Evans-Wentz (1878-1965), who with Lama Kazi Dawa-Samdup (1868-1922) worked on a translation of a Tibetan Buddhist guide to the transition to the next life after death. This translation was written from the early 1920s, eventually being published in 1927 as *The Tibetan Book of the Dead*. During his travels in Asia immediately after WWI, Evans-Wentz spent time learning about Buddhism and collecting Pali manuscripts in Sri Lanka. He then travelled through India, visiting important religious sites and meeting important religious teachers and thinkers, just as Shin Ukkatṭha would do a few years later. It was in Darjeeling in 1919 that he met Dawa-Samdup, who had already worked as a translator with other Orientalists and theosophists. Evans-Wentz claimed to be his disciple. Evans-Wentz continued to travel in India, engaging in the circles of international religious seekers of the time, while also remaining a theosophist. Like other theosophists he provided financial support to the Mahabodhi Society. Meanwhile Dawa-Samdup was appointed a lecturer at Calcutta University, and died in Calcutta the year that Shin Ukkatṭha arrived in the city.

The reason that I have thought it important to make clear the contemporaneity and shared milieu of Evans-Wentz, Dawa-Samdup and Shin Ukkatṭha is because of an interesting aspect of the understanding of rebirth found in *The Tibetan Book of the Dead* by Evans-Wentz and Dawa-Samdup. Their understanding of rebirth appears to be a more concrete formulation of ideas going back to earlier precursors in the Theosophical Society. The Society was so very influential on other Buddhist reformers too, as we shall see. *The Tibetan Book of the Dead* by Evans-Wentz and Dawa-Samdup has been much criticised for bringing to it theosophical understandings that distort the Buddhist content, including that relating to the Buddhist understanding of rebirth. Evans-Wentz had studied Theosophy as a child,

under the influence of his father, before studying comparative religion at Stanford and Celtic mythology at Oxford. The Vinicchaya case against Shin Ukkatṭha points out the traditional teaching on rebirth, found in all early Buddhist scriptures. The canonical teaching on rebirth is that individuals are trapped in a cycle of death and rebirth, *saṃsāra*, such that they will continuously be reborn into different places within five possible realms, each of which is further subdivided. These realms are hells, hungry ghosts, animal realms, human realms, heavenly realms. Rebirth in them is dependent on one's good or bad deeds in one's current or previous lifetimes.

In spite of its canonicity, Evans-Wentz rejected the teaching of rebirth. He described it as an "obviously irrational belief" (Evans-Wentz 1927: 42, cited Lopez 1998: 69). He reinterpreted rebirth to refer to psychological states, and on the basis of Darwinian evolutionary theory dismisses its literal truth. Lopez, quoting Evans-Wentz, explains this theosophical position,

The human form is the result of evolution, as is human consciousness. Thus, just as it is impossible for an animal or plant to devolve into one of its previous forms, so it is impossible for 'a human life-flux to flow into the physical form of a dog, or fowl, or insect, or worm' (p.43). Thus, 'man, the highest of the animal-beings, cannot become the lowest of the animal beings, no matter how heinous his sins.' (pp.43-44). Such a view was believed by esotericists to be quite unscientific (p.48). (Lopez 1998: 69).

Lopez goes on to point out similar views in other writings by theosophists, including Colonel Olcott (1832-1907), one of the two co-founders of the Theosophical Society. Olcott's *The Buddhist Catechism* published in 1881 includes the following question and answer: "Q. Does Buddhism teach that man is reborn only upon our earth? A. As a general rule that would be the case, until he had evolved beyond its level." (Lopez 1998: 69).

This catechism was written by Olcott when he was in Sri Lanka, working primarily with lowland Buddhists who had strong connections with Burma through their ordination lineage. He was helping them to defend Buddhism against Christian missionising. He had a Sri Lankan assistant, the man who would go on to become Anāgārika Dharmapāla. The catechism Olcott wrote has continued in use in Sri Lanka right up to the present day. Meanwhile Anāgārika Dharmapāla became one of the

major figures of Buddhist revivalism, converting ex-untouchables in India to Buddhism in the period prior to the famous Ambedkarite conversions. It was probably in order to provide support for such convert communities that those Burmese monks, with whom Shin Ādiccavaṃsa and Shin Ukkatṭha stayed, were living in India. Anāgārika Dharmapāla also founded The Mahabodhi Society, where Shin Ukkatṭha stayed, which received ongoing support from the start from Arakanese and Burmese supporters (above; see Cox 2015).

From this evidence we can see that the reinterpretation of rebirth by Shin Ukkatṭha along Darwinian lines was in no way unique to him. It was part of the discourse among a network of others engaged in investigating different religious teachings at the time, including the networks engaged in the emerging global Buddhism who shared an interest in Buddhism and its protection, spread and revival.

Anne Blackburn has pointed out:

[T]oo little attention has yet been paid to the ways in which the Maha Bodhi Society and the Theosophical Society functioned as umbrella organizations within which a variety of local socio-political agenda[s] were pursued at various locations linked by these societies, or to how these organizations facilitated the travel of local Asians through port cities, travel that was undertaken for a number of reasons including commerce, intellectual exploration, the cultivation of political/activist ties, and the development of religious institutions. (Blackburn 2012: 23).

This thesis therefore makes a contribution to the filling of the gap in our knowledge pointed out by Blackburn. Shin Ukkatṭha provides evidence for the impact these societies could have on Asian participants. Both his religious ideas and the fuller formulation of his anticolonialist activism were themes that could be explored within these networks. Even his later establishment of a school echoed the emphasis on the establishment of schools in the early decades of the Buddhist branches of the Theosophical Society. Their being set up in direct opposition to the Christian Mission schools was a concept clearly apparent in his school's name, The Okata Buddhist Mission School. Shin Ukkatṭha was thus participating in broader social movements even if he himself remained outside of any specific organisation.

Laurence Cox writes of the Theosophical and Mahabodhi Societies:

As international organisations they were also enabled by the imperial relationships that many resisted (in terms of the increased flows of people and transport, the spread of European languages and cultural points of reference, and to some extent comparable legal and financial systems) and the relationships between western states in the pre-WWI period. (Cox 2015: 5)

Mark Frosts discusses the kind of culture that emerged along these networks:

“Entrepôts like Bombay, Madras, Calcutta, Rangoon and Singapore witnessed the emergence of a non-European, western-educated professional class that serviced the requirements of expanding international commercial interests and the simultaneous growth of the imperial state. Learned elites drawn from the ranks of civil servants, company clerks, doctors, teachers, public inspectors, communications workers, merchants, bankers and (above all) the legal profession began to form themselves into intelligentsias by immersing themselves in discursive activity, and quickly developed habits of intellectual sociability that became organized and systematic.” (Frost 2002: 937).

Coinciding with this development was another consequence of British colonialism: the lack of royal or Sangha authorities in Burma that could unify or discipline branches or members of the Sangha. This meant that disunity in the Sangha went unchecked, and the autonomy this created gave room for those developing new ideas. Thus while Shin Ukkatṭha strove to defend Buddhism, he was both influenced by the broader discussions in the entrepôts and networks identified above, made possible through British colonialism, and he was given the freedom to develop under such influence. For most of his lifetime, monks did not need to submit to a monolithic view of the Buddhist *dhamma* or to Buddhist authorities. They could be challenged and ignored, and this is clearly the culture that influenced his response to the 1959 case. It was a culture completely at odds with the centralising, controlling mission of the SSC.

Another influence present in these networks and their culture was also at odds with the culture of the SSC, namely the nature of the discourse itself, whereby

participants, to explore a topic with their fellow discussants and opponents, expected to be able to debate using different types of criteria. Such criteria included direct perception and inference, i.e. logical arguments based on different types of scriptural authority, in this case both ancient Buddhist and modern scientific scriptures. The dialectical character of this discourse must have been strengthened in Shin Ukkatṭha's case by his ongoing engagement in debates in India, as detailed in Chapter Two. In India, debate proceeds along models of engagement whereby one may draw on different criteria or means of knowledge (Sanskrit *pramāṇa*) to refute one's opponent or make one's point. Scripture is only one of these, and can only be used when discussing with someone who accepts the same scriptural authority. If the fellow discussants or opponents do not share a scripture, then scripture cannot be used as a *pramāṇa*. Instead, one must turn to the other *pramāṇa*: direct perception, inference, analogy.

If we examine the arguments of Shin Ukkatṭha in *lūthelūhpyit* theory, and in his rejection of the 1959 case against him, we can see that he employs a variety of arguments, from direct perception – “we do not see any heaven or hell” – to inference and analogy (the analogy of human purification on a par with that of gold). He also draws on both Buddhist and scientific scripture, albeit selectively. The SSC case against him, however, draws almost exclusively on scripture and, as discussed in Chapter One, the scripture in question is the Pali corpus as established at the Sixth Council. As described in Chapter Two, Shin Ukkatṭha dismissed these texts when withdrawing from his position on the Sixth Council committee. He deemed its processes as insufficiently rigorous, causing what he regarded as clearly later interpolations to remain in the text, unexcluded.

From Shin Ukkatṭha's point of view, then, the SSC's arguments are invalid since they are based on false scripture. Moreover, from his perspective, by insisting on using scriptural sources that he rejects, the SSC is breaking the rules of debate, according to which the two parties must accept the same *pramāṇa*. We can see this in his response to the 1959 *pakāsaniya*, where he repeats his references to direct perception and scientific scripture authority (Darwin) and expects these *pramāṇa* to be weighed alongside Buddhist scripture. This brings us back to Alicia Turner's discussion of the alternative definitions of religion, which we examined when looking at the various debates over shoes in colonial period Burma in Chapter Two. Is religion

something which each person or group may decide on their own, or is it something where one category (here the Buddhism of the SSC) can be applied to all, regardless of their shared participation in it?

As explained in Chapter Three, the SSC was set up under Ne Win with the intention of controlling the Sangha, following its participation in the U Thant riots and other expressions of criticism of the government. The model may well have been the Mahatherasamakom set up for similar purposes by Field Marshal Sarit after his coup of 1958. However, the resistance to and remits of the two ecclesiastical bodies varied in ways that probably related to the two countries different experiences of the European colonial period, as discussed in Chapter Three. The SSC's explicit mission was to maintain the unity and purity of the Sangha. Although the SSVCs, the sub-committees set up to assess cases, rehearse the arguments that support their guilty verdicts, these are displays of their learning and their adherence to scriptural authority. While these lead to extensive discussions of doctrinal and ecclesiastical points, the courts are not forums for debate. By not allowing for any development of religion to accommodate changes in scientific knowledge and corresponding developments in belief, the SSC maintains the primacy of scriptural learning in Theravada Buddhism. It fulfils its aim of keeping Theravada 'pure'. Concurrently, given that the religion of individuals and groups does inevitably develop along with other changes, it is also easy for the SSC to fulfil the other agenda behind its foundation, namely the control of monks or monastic groups that are seen as problematic. For inevitably individuals and groups will reflect changes in people's understanding and practices.

Kate Crosby (2013) has written on an earlier phase of the development of Buddhism in response to changes in science, whereby Theravada Buddhists sought to apply the technologies of generative grammar, ayurvedic medicine and certain types of mathematics that developed in the early centuries after the formation of the Buddhist canon to the process of transformation through Buddhist meditation. There she explores the issue of the place of 'developed religion', i.e. religion that shows features not seen in its foundational scriptures. She gives the example of the British Catholic theologian John Henry Newman (1801-1890), known for his successful defense of developed religion, i.e. in his case Catholicism, as "a *necessary* response to

the complexities of the world within which religion needs to deliver its unique message.” (Crosby 2013: 144). She writes,

Astutely acknowledging that one man’s ‘developments’ might be another’s ‘corruptions’, he sets out in the same work to specify factors by which one might identify positive developments from corruptions:

“There is no corruption if it retains one and the same type, the same principles, the same organization; if its beginnings anticipate its subsequent phases, and its later phenomena protect and subserve its earlier; if it has a power of assimilation and revival, and a vigorous action from first to last.”

(Newman 1845: 171) (Crosby 2013: 145)

It might seem on the face of it that Shin Ukkatṭha would have agreed with Newman, and that, a staunch defender of Buddhism, his desire was to preserve the principles of Buddhism, reforming it in ways that subserved its original, intended purpose. On the other hand, that is not how he saw himself. Rather, his intention was to remove what he saw as unacceptable developments within the Canon and later texts, such as relic and image worship.

We can see that the resistance in Burma to acknowledging such developments stems, throughout its history, from two impulses: firstly, a culture of control that is often identified in scholarship as politically motivated; and secondly, the appreciation of the risk to the *sāsana* were any part of the authoritative scriptures allowed to be contested. It also stems from a desire to preserve the Buddha’s *sāsana* in a form as close to the original as possible. From this perspective, Shin Ukkatṭha shared the Burmese Sangha hierarchy’s intention to prevent developments and preserve the original. It is just that Shin Ukkatṭha felt that other criteria allowed us to detect developments *before* the closure of the Canon and thus to challenge the body of literature that was approved through the Councils. From that perspective, Ukkatṭha would not have used Newman’s arguments, but would have insisted that, Buddhism being scientific from its origins, everything that is found within the texts that does not conform with science must be an interpolation. This view corresponded with the prevailing view amongst those participating in the creation of ‘global Buddhism’ at the end of the 19th and first half of the 20th century. While that global Buddhism

continued to emerge, Burma's engagement in global Buddhism has mainly been confined to the spreading of its meditation techniques. In other aspects of Buddhism, it has turned inward, preserving a uniquely textual, erudite and conservative tradition.

Shin Ukkatṭha was involved in politics for much of his life, a nationalist supportive of the anticolonialism movement, whose school apparently hosted and even may have acted as a base for various political representatives and leftwing political movements. He had a strong interest in Communism, mainly – it would seem – as a response to the poverty created by colonialism and perpetuated by the unsuccessful economic policies of successive governments of Burma after Independence. We might speculate that Shin Ukkatṭha's association with different Communist groups and also the association of his school's location with the most famous *weikza* figure of Bo Bo Aung were part of the reason for the targeting of his teachings under U Nu in the 1950s, a period when *weikza* was also suppressed. Shin Ukkatṭha had just returned from international travels that included attending the World Peace Congress in Sweden, reported to have been funded by the USSR, and visiting various Communist countries, including a personal audience with Ho Chi Minh in Vietnam. From the early 1950s U Nu had received US support for initiatives to co-opt Buddhists in their campaigns against Communism (Ford 2012: pp.30-31ff.).

While his Communist sympathies might have been a contributing factor for his targeting under U Nu, the same issue does not seem to explain his later targeting under Ne Win. Shin Ukkatṭha had been supportive of the new military government, because of its socialist policy. This was also the government that had pardoned him and declined to give support to the Sangha's *pakāsanīyakamma* in the early 1960s. Moreover, in the years preceding his death, Shin Ukkatṭha had largely withdrawn from politics. The posthumous revisiting of his case by the SSC therefore may have had more to do with the fame of his previous case and the ease with which his teachings could be demonstrated to be uncanonical: in its early days, the SSC was establishing its credentials as the highest authority in Sangha affairs. The SSC thus proved its authority both to the military government that had established it and to the Burmese Sangha, over which it was placed. To this day, in Burma the *lūthelūhpyit* case remains the most famous of all Vinicchaya cases.

The ability of the SSC to conduct such cases and the impact of its verdicts

reflect its establishment as an instrument of political control over the Sangha by Ne Win. Initially there was resistance on the part of the Sangha and Ne Win's initial efforts to establish a body to govern the entire Sangha failed. A factor here is that many of the monks were still familiar with the relative freedom of expression and self-governance they had had under the British, and because, under U Nu, they had been able to exert power on the government. The British period had disrupted institutions such as the supreme patriarch and the *Thudhammā* Council. In Thailand, by contrast, the office of supreme patriarch and a governing council, with a close relationship with the King, had continued, and indeed been an instrument of national centralization under successive Thai kings. Thus the Sangha in Thailand was used to the state exerting control: Sarit was changing and exerting his control over existing institutions, rather than starting new institutions from scratch. When Ne Win attempted the same process as that undertaken by Sarit, he met with resistance. After two decades of military rule, this resistance had been worn down and the SSC was established.

The differing colonial experiences may also explain another difference between Thailand's Mahatherasamakom and the SSC. While Sarit initially sought to have belief (specifically Communism) identified as a criterion for exclusion from the monkhood, he met with resistance by those who knew that this would be against Vinaya law. That resistance was led by the very senior monk Phimonlatham. The subsequent persecution of Phimonlatham backfired. Rejecting the teachings of opponents had been part of King Mongkut's control of the Sangha in Thailand, but he had done so through different means, including the promotion to supreme patriarch and other high ranking positions only members of his own Thammayut Nikāya. He had not directly attempted to have monks defrocked for belief. In colonial Burma, however, after the loss of royal patronage, it had become everyone's responsibility to preserve the teachings of Buddhism as well as ensure correct monastic discipline. We traced in Chapter One how doctrine and its interpretation became a valid topic for *vinicchaya* literature, whereas in the pre-colonial period *vinicchaya* appears to have been confined to monastic discipline. Furthermore, we noted that while other countries secularized education for monks – and Sarit himself contributed to this in Thailand, through the broadening out of higher education and monks' participation in it – Burma's resistance to British policies included a rejection of monastic

involvement in secular education, either as providers or recipients. Allowing the SSC's remit to include bringing to trial cases about beliefs and teachings, *dhamma*, and not just about monastic practice, *vinaya*, is a direct reflection of this response to a colonial past. It is distinctive to Burma.

Shin Ukkatṭha's life reflects multiple responses to colonialism, responses that were personal, national and global. Like many Burmese he was concerned with the protection of the *sāsana* and with the ways in which colonial rule created poverty for rural Burmese. While many in the Burmese Sangha responded to the issue of threat to the *sāsana* by rejecting Western and colonial education, even to the point of avoiding the learning of English, Shin Ukkatṭha responded by engaging with them. He set out on a seven year journey of learning and debate in India, where, as we have seen, he was exposed to radical ideas. Just as U Hpo Hlaing (1830-1883) and Ledi Sayadaw (1846-1923) had done, Shin Ukkatṭha sought to protect and revise Buddhism conscious of and reflecting on Western concepts. He developed teachings that were similar to those found elsewhere in global Buddhism, influenced by the same networks, debates and institutions that he encountered in India. These radical views included a rejection of a range of traditional practices as well as Abhidhamma and other sections of the Canon, and canonical and traditional views on rebirth.

Even though Shin Ukkatṭha's views were radical from the perspective of the more traditionalist Sangha members, he was very highly regarded, both in political and religious realms. It was his position as a monk that enabled him to have access to the opportunities, education and travel that informed his views. He used that position, the status (*phun-tago*) he had acquired as a learned and traveled monk, as well as his family connections to gather about him the funding and political support to establish his school. Through this he sought to address poverty and inspire generations of students to defend their country. His embracing of modern scientific world views influenced both the curriculum he provided at his school and his success at debating.

In the religious realm it was because of his engagement with the modern world that he was so highly regarded. This is most famously vindicated in his success at the debate with Christians in Kyauk Kwin village, Pegu division, in 1936 (Chapter Two). Examining that debate we saw that it was his relativism, willingness to dismiss sections of the Canon, ability to engage with other traditions and deployment of the

debating techniques he had practised in India that allowed him to defend Buddhism successfully. It became famous because it brought about reconversions from Christianity that were reported in the national newspapers.

We can see from the nature of this success how difficult it would have been for Shin Ukkatṭha to go back on his views, when they were challenged by the first Vinicchaya case against him under the system set up under U Nu. Furthermore, although he was a passionate nationalist, his experience of being a monk under the British had another consequence: he was used to relative autonomy and freedom of view. This can be seen in his robust response to the charges against him, a response made possible by the early secularism of the Ne Win government.

The second Vinicchaya case, however, was a very different matter. While Shin Ukkatṭha had used a range of arguments to defend his views, within the context of the SSC these could only be defended on the basis of Pali canonical and commentarial authorities. The SSC refuted his views on the basis of canonical and commentarial authorities including Abhidhamma, without recourse to other types of discussion, except perhaps the traditional account of the six Councils. In spite of his radical views, even after his death Shin Ukkatṭha still had a large number of followers even. After the guilty verdict, however, it became difficult for people to express their support for him or his teachings. Nonetheless he was still held in sufficiently high regard for his biography to be compiled by some of his followers. These days, the availability of a number of his works on the black market is an open secret. This, and the fact that he has also been the subject of recent publications in Burma, begs the question of whether recent political changes in Burma will affect the extent to which the SSC will be inclined and have the governmental backing to continue its suppression of divergent forms of Buddhism.

Abbreviations

AFO	Anti-Fascist Organisation
AFPFL	Anti-Fascist People's Freedom League
BCE	Before Common Era
BCP	Burma Communist Party
BDF	Burmese Defense Force
BE	Burmese Era
CE	Common Era
CPB	Communist Party of Burma
CPD	Critical Pali Dictionary
DSEB	Doctrinal Scholarship and Education Board
GCBA	General Council of Burmese Associations
MHRA	Ministry of Home and Religious Affairs
MORA	Ministry of Religious Affairs
OBM School	Okkata's Buddha Mission School
OBWF	Organization for Buddhist Welfare and Friendship
OMW	Organization of Missionary Works
OSNC	<i>Ovadacariya Sangha Nayaka Committee</i>
PED	Pali English Dictionary
PWSA	Pagoda's Welfare and Scholarship Association
RFCP	Red Flag Communist Party
SCSEC	State Central Sangha Executive Committee
SEC	Sangha Executive Committee
SLORC	State Law and Order Restoration Council
SOC	State Ovādācariya Committee

SSC	State Saṅghamahānāyaka Committee
SSVC	State Special Vinicchaya Committee
<i>s.v. sub voce</i> – under the entry for the term being discussed	
UBA	Universities Buddhist Association
USO	United Sangha Organization
WBA	We Burmans Association
WFCP	White Flag Communist Party
WWI	World War I
WWII	World War II
YCBA	Yangon College Buddhist Association
YMBA	Young Men's Buddhist Association
YUBA	Yangon University Buddhist Association

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Appendix I: Table of Books written by Shin Ukkatṭha

No	Title	No. of Pages	Year Printed	Remarks
1	<i>Buddha-lan:zin</i> (path of Buddha) ဗုဒ္ဓလမ်းစဉ်	137	1953	Hard copy in hand
2	<i>Buddha-abhidhammā</i> (Buddha philosophy) ဗုဒ္ဓအဘိဓမ္မာ	260	1954	Hard copy in hand
3	<i>Samāsamaggavāda</i> (what is Marxism?) သမာသမဂ္ဂဝါဒ	225	1954	Hard copy in hand
4	<i>Brhmayācanakathā pyassanā</i> (question on the request of Brahma) ဗြဟ္မယာစနကထာပြဿနာ	109	1955	Hard copy in hand
5	<i>Lūthelūhpyit</i> (die human, born human) လူသေလူဖြစ်	333	1957	Hard copy in hand
6	<i>Kaba-abhidhamma-letswè</i> (Hand book of Philosophy) ကမ္ဘာ့အဘိဓမ္မာလက်စွဲ	325	1959	Hard copy in hand
7	<i>Lūthā-nè.-mye-lwā</i> (the earth and man) လူသားနှင့်မြေလွှာ	91	1961	Hard copy in hand
8	<i>Buddha-sā-gyun-daw</i> (Buddha bulletin) ဗုဒ္ဓစာချွန်တော်	81, 18	1961	Hard copy in hand
9	<i>Bava-ye-sī:</i> (life-stream) ဘဝရေစီး	135	1961	Hard copy in hand
10	<i>Shwe-chain-gwin</i> (the balance of gold) ရွှေချိန်ခွင်	154	1962	Hard copy in hand
11	<i>Anatta-yaung-gyī</i> (the light of non-soul) အနတ္တရောင်ခြည်	190	1962	Hard copy in hand
12	<i>Buddha-hmat-kyauk</i> (the criteria of Buddha) ဗုဒ္ဓမှတ်ကျောက်	185	1963	Hard copy in hand
13	<i>Aswè-pyut-tè:-gok-nan:-daw</i> (a tent can be a palace if one can remove superstition) အစွဲပြုတ် တဲကုတ်နန်းတော်	153	1963	Hard copy in hand
14	<i>Athin-lūthā:-bā-hmā:-ne-lè:</i> (man, what is wrong with you?) အသင်လူသား ဘာမှားနေလဲ	176	1964	Hard copy in hand
15	<i>Kappaypyassanā</i> (questions of the world) ကပ္ပပြဿနာ	458	Written in 1939, first published in 1946?, second in 1955 and third in 1964	Hard copy in hand
16	<i>Tan-pyan-pakāsaniya</i> (challenge the monastic legal action) တန်ပြန်ပကာသနီယ	147	1966	Hard copy in hand
17	<i>Mahāyāna-buddha-win</i> (Chronology of Mahāyāna Buddhism) မဟာယာနဗုဒ္ဓဝင်	399	1967	Hard copy in hand
18	<i>Kyauk-yā-ywe:-chè-lan:-na-thwè</i> (chose alternative routes)	97	Post 1958.	Hard copy in hand

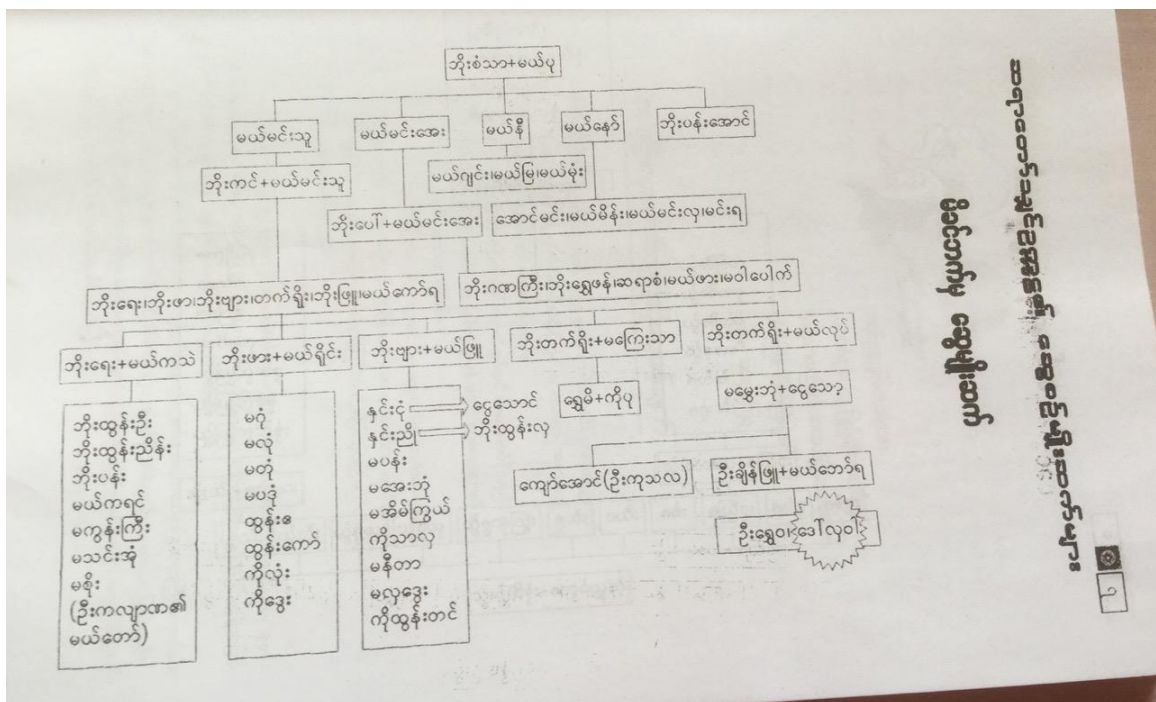
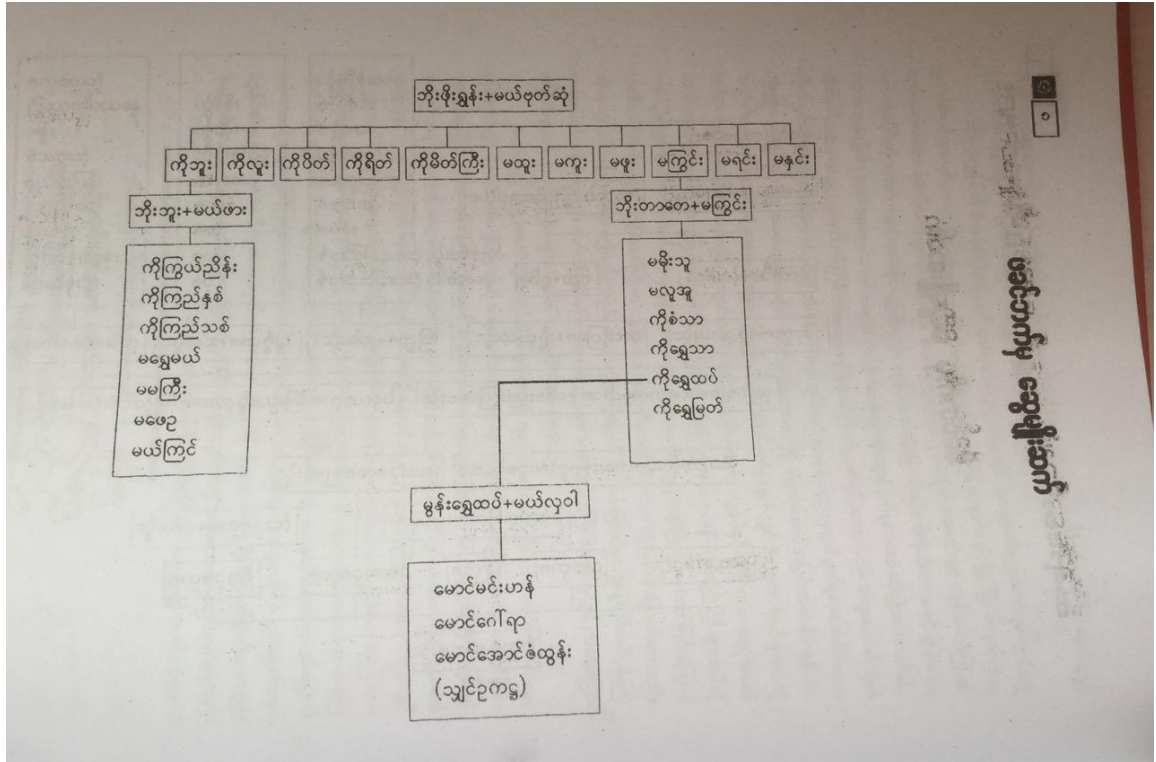
	ကြိုက်ရာရွေးချယ် လမ်းနှစ်သွယ်		2013 (reprint 2 nd time)	
19	<i>Nat-hmī-ye-san:-mha-pan:gale:-myā:</i> (water fountains at Nat-hmi stream) နတ်မှီရေစမ်းမှ ရေပန်းကလေးများ	55	NA	Hard copy in hand
20	<i>Mahāsasamaggavāda</i> Policy of great unity မဟာသမဂ္ဂဝါဒ			Not in hand
21	<i>Tagè:-satan</i> What a Satan တကယ့်စာတန်			Not in hand
22	<i>Sein Tint Gyi Wuthtu</i> <i>Sein Tint Gyi</i> Novel (1,2,3 & 4) စိန်တင့်ကြီးဝတ္ထု (ပါဒါတစ်)			Not in hand
23	<i>Sinpyaing-Sāsana</i> Contemporary Sāsana (1 & 2) စင်ပြိုင်သာသနာ (ပါဒ)			Not in hand
24	<i>Kado.-pan</i> Way of apology ကန်တော့ပန်း			Not in hand
25	<i>Dhammasekkyā (Nathmi-hawzin)</i> Turning wheel of dhamma (Nathmi teaching) ဓမ္မစကြာ (နတ်မှီဟောစဉ်)			Not in hand
26	<i>Sittwin:-Kyonya-nabawa</i> My life in War စစ်တွင်းကြုံရ ငါ့ဘဝ			Not in hand
27	<i>Buddhavāda</i> Buddha teaching (policy or view) ဗုဒ္ဓဝါဒ			Not in hand
28	<i>O Yogī thin-bego-thwār-hmā-lè:</i> <i>Yogī!</i> Where are you going? အို ယောဂီ သင်ဘယ်ကိုသွားမှာလဲ			Not in hand
29	<i>Buddha-wi-nī:</i> Buddha's discipline ဗုဒ္ဓဝိနည်း			Not in hand
30	<i>Nibban-sodā</i> What the Nibbāna is နိဗ္ဗာန်ဆိုတာ			Not in hand
31	<i>Letwè:-naing-ngan-myā:-nè.bhāthā-lwut-lat-pon</i> Left wing countries and free religion လက်ဝဲနိုင်ငံများနှင့်ဘာသာလွတ်လပ်ပုံ			Not in hand
32	<i>Yuddha-abhidhammā</i> Philosophy of Battle ယုဒ္ဓအဘိဓမ္မာ			Not in hand
33	<i>Abhidhamma-abhidhammā (Kaba-dassana-kyangyi)</i> Philosophy's philosophy (World philosophy treatise) အဘိဓမ္မာ အဘိဓမ္မာ (ကမ္ဘာ့ဒဿနကျမ်းကြီး)			Not in hand
34	<i>Visuddhi-mat (English-bhāthā)</i> Path of purity (in English) ဝိသုဒ္ဓိမဂ် (အင်္ဂလိပ်ဘာသာ)			Not in hand
35	<i>Kathāvatthu (English-bhāthā)</i> Points of controversy (in English)			Not in hand

	ကထာဝတ္ထု (အင်္ဂလိပ်ဘာသာ)			
36	<i>Migadāwon-tayā: (English-bhāthā)</i> Teaching at Migadavana forest (in English) မိဂဒါဝန်တရား (အင်္ဂလိပ်ဘာသာ)			Not in hand
37	<i>Lan:-na-thwè (English-bhāthā)</i> Two paths (in English) လမ်းနှစ်သွယ် (အင်္ဂလိပ်ဘာသာ)			Not in hand
38	<i>Dhammapada (Urdu-bhāthā)</i> Stanza of teachings (in Urdu) ဓမ္မပဒ (အူရဒူဘာသာ)			Not in hand

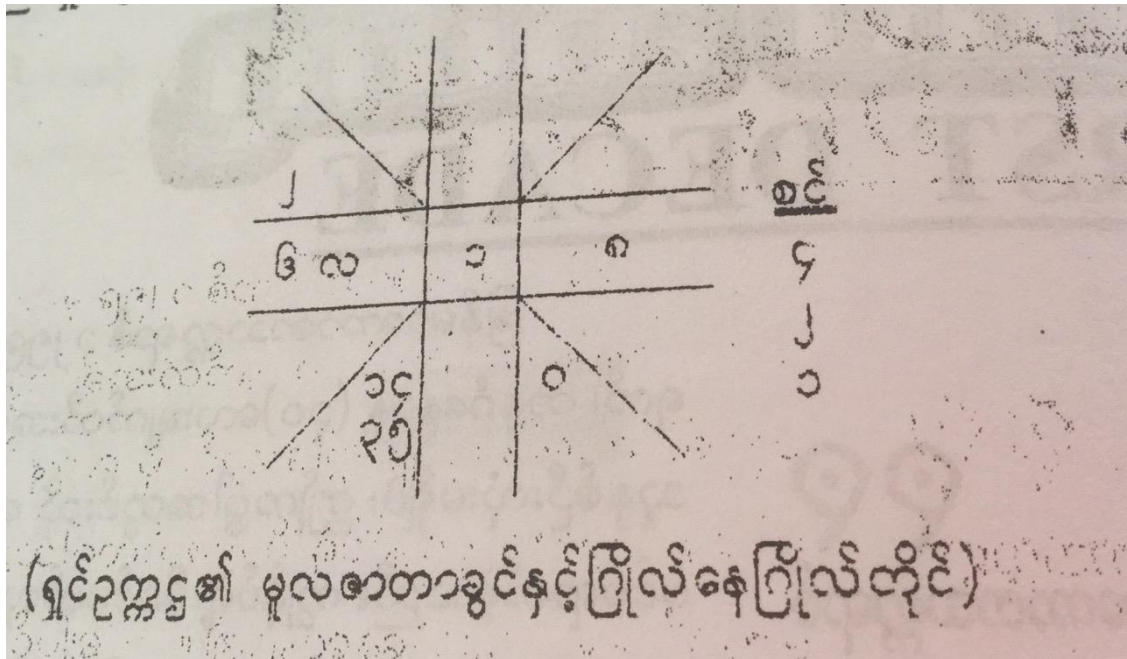
Appendix II

Shin Ukkaṭṭha's Family Tree and Birth Chart

Shin Ukkaṭṭha's family tree from both parents (in Burmese)



His birth horoscope (in Burmese)



Shin Ukkattha's family tree and birth chart (horoscope)

The family tree in the top image was provided in the biography by Mya Din et al. (198?). The book does not mention who created the family tree, but it seems likely that it was recorded by Shin Ukkattha himself. The family tree is found on pages 7 and 8 just after a short (auto)biography on the preceding pages (1-6), attributed to Shin Ukkattha himself. The book described that the short biography was copied from a handwritten draft Shin Ukkattha had written about himself. In Burma, the tradition of making a family tree is scarce, but is found in royal genealogies.¹¹⁸ I do not know why Shin Ukkattha had one. Some Burmese, particularly at that time, could hardly identify when they were born, especially those from countryside. What most Burmese have traditionally kept is a palm leaf horoscope (*Zātā*) on which their date of birth in Burmese Era, the birth zodiac and a wish for long life were recorded, as seen in the second image from the same place.

¹¹⁸ My thanks to Michael Charney for pointing this out.

Appendix III Glossary

Burmese transliteration	Burmese Script	Pāḷi Romanization	English translation
Abhi-dama	အဘိဓမ္မ	Abhidhamma	Buddhist philosophy
Adama	အဓမ္မ	Adhamma	False doctrine
Adama-vāda	အဓမ္မဝါဒ	Adhammavāda	Concept of false doctrine
Anat-ta	အနတ္တ	Anatta	Non-self
Ānāzet-damazet	အာဏာဝက်-ဓမ္မဝက်		Teaching and Power
Aneik-sa	အနိစ္စ	Anicca	Impermanent
Anu-wādādi-karana	အနုဝါဒီကရက	Anuvādādikaraṇa	The dispute that accuses others monks with some offences
Aung-san:-taw:-ya-vāda-wi-neik-sa-ya	အောင်ဆန်းတောရဝါဒဝိနိစ္ဆယ	Aung-san:-taw:-ya-vāda vinicchaya	Decision on the concept of Aung-san-taw:-ya sayadaw
Āpat-tā-di-karana	အာပတ္တဝါဒကရက	Āpattādhikaraṇa	The dispute that commits one of the seven offences
Ātha-wet-kha-ya-nyā-na	အာသဝက္ခယဉာဏ	Āsavakkhayañāṇa	Knowledge of elimination of defilement
Bāwanā	ဘာဝနာ	Bhāvanā	Tranquility meditation
Beit-khu	ဘိက္ခူ	Bhikkhu	monk
Beit-khu-nī-	ဘိက္ခူနီ	Bhikkhunī	Female monk
Beit-khu-nī-bāwābāwa-wi-neik-sa-ya	ဘိက္ခူနီဘာဝါဘာဝဝိနိစ္ဆယ	Bhikkhunībāwābhāva vinicchaya	Decision on the concept of bhikkhunī existence
Beit-khu-nī-than-ga	ဘိက္ခူနီသံဃ	Bhikkhunīsaṅgha	The order of bhikkhunī
Beit-khu-nī-wi-neik-sa-ya-sā-dan:	ဘိက္ခူနီဝိနိစ္ဆယစာတမ်း	Bhikkhunīvinicchaya sā-dan:	A booklet about the decision of bhikkhunī-hood
Beit-khu-than-ga	ဘိက္ခူသံဃ	Bhikkhusaṅgha	The order of monks
Dama	ဓမ္မ	Dhamma	Truth
Dama-adama-anyin:-pwa:-hmu	ဓမ္မအဓမ္မအငြင်းပွားမှု	Dhamma-adhamma anyin:-pwa:-hmu	Disputes over the concept of right or

			wrong
Dama-nīti-vāda-wi-neik-sa-ya	ဓမ္မနိတိဝါဒဝိနိစ္ဆယ	Dhammanītivāda vinicchaya	Judgement on the concept of dhammanīti sayadaw
Damāsariya	ဓမ္မာစရိယ	Dhammācariya	Degree of religious advanced level exam in Burma
Dāna	ဒါန	Dāna	charity
Et-ga-mahā-pan-di-ta	အဂ္ဂမဟာပဏ္ဍိတ	Aggamahāpaṇḍita	Title for wise monk
Hte-ra-wā-da-swe-zon-kyan:	ထေရဝါဒစွယ်စုံကျမ်း	Theravāda encyclopedia	Theravada encyclopedia
Htun-don:-let-kyan-ū:-htin-vāda-wi-neik-sa-ya	ထွန်တုံးလက်ကျန်ဦးထင်ဝါဒဝိနိစ္ဆယ	Htun-don:-let-kyan-ū:-htin vāda vinicchaya	Judgement on U Htin's concept on Buddhism
Kyauk-pon-taw:ya-vāda wi-neik-sa-ya	ကျောက်ပုံတောရဝါဒဝိနိစ္ဆယ	Kyauk-pon-taw:ya vāda vinicchaya	Judgement on the concept of kyauk-pon-taw:-ya sayadaw
Kyauk-thin:baw:-vāda- wi-neik-sa-ya	ကျောက်သင်္ဘောဝါဒဝိနိစ္ဆယ	Kyauk-thin:baw:-vāda vinicchaya	Judgement on the concept of kyauk-thin:-baw:taw:-ya-sayadaw
Kyaung-pan:-taw:ya-vāda- wi-neit-saya	ကြောင်ပန်းတောရဝါဒဝိနိစ္ဆယ	Kyaung-pan:-taw:ya vāda vinicchaya	Judgement on the concept of Kyaung-pan:-taw:ya-vāda-
Lūthelūhpyit vādānuvāda-wi-neik-sa-ya	လူသေလူဖြစ်ဝါဒနဝါဒဝိနိစ္ဆယ	Lūthelūhpyit vādānuvāda vinicchaya	Judgement on the concept of 'die human, born human'.
Mo:byāgaing-vāda-wi-neik-sa-ya	မိုးပြာဂိုဏ်းဝါဒဝိနိစ္ဆယ	Mo:byāgaing-vāda vinicchaya	Judgement on the concept of Mo:byāgaing
Mogok-wi-neik-sa-ya	မိုးကုတ်ဝိနိစ္ဆယ		Judgement on Mogok Sayadaw
Mogok-wipat-thanā-yeik-thā	မိုးကုတ်ဝိပဿနာရိပ်သာ		The Insight Meditation Centre of Mogok
Mo:nyin:-ashe.-yeik-thā-kheminda-vāda-wi-neik-sa-ya	မိုးညှင်းမြို့ အရှေ့ရိပ်သာ ခေမိန္ဒဝါဒဝိနိစ္ဆယ	Mo:nyin:-ashe.-yeik-thā-kheminda vāda vinicchaya	Judgement on the concept of Mo:nyin:-ashe.-yeik-thā-kheminda
Mo:nyo-Myauk-	မိုးညိုမြောက်ဥက္ကလာပဝါဒဝိနိစ္ဆယ	Mo:nyo-Myauk-	Judgement on the

okkalāpa-wi-neik-sa-ya		okkalāpa vinicchaya	concept of Mo:nyo-Myauk-okkalāpa
Mo:nyo-wipat-thanā-kyaung:	မိုးညိုဝိပဿနာကျောင်း		The Insight Meditation Centre of Mo:nyo
Myitkyī:na:-wi-seik-ta-thā-ra-vāda-wi-neik-sa-ya	မြစ်ကြီးနား ဝိစိတ္တသာရဝါဒ ဝိနိစ္ဆယ	Myitkyī:na:-vicittasāravāda vinicchaya	Judgement on the concept of Myitkyī:na:-wi-seik-ta-thā-ra-
Naing-ngan-daw-nyein-wut-pi-pyā:-hmu-tī-sauk-ye:-aphwe'	နိုင်ငံတော် ငြိမ်ဝပ်ပိပြားမှု တည်ဆောက်ရေးအဖွဲ့		State Law and Order Registration Council (SLORC)
Naing-ngan-daw-than-ga-mahānāyaka-kaw-ma-tī	နိုင်ငံတော်သံဃမဟာနာယက ကော်မတီ		State Saṅgamahānāyaka Committee (SSC)
Nè-thein:-thein-tha-hmoat-hmu-saing-yā-wi-neik-sa-ya	နယ်သိမ်းသိမ်သုတ်မှုဆိုင်ရာဝါဒ ဝိနိစ္ဆယ	Nè-thein:-thein-tha-hmoat-hmu-saing-yā vinicchaya	Judgement on the concept of sīmā (monastic boundry) consecration in connection to collecting monks from the area
Neit-ban	နိဗ္ဗာန်	Nibbāna	Nibbana (free from craving)
Nyun-kyā:-lwā-myā:	ညွှန်ကြားလွှာများ		instructions
Pa-nyā (pyī-nyā)	ပညာ	Paññā	Wisdom
Pa-teit-sa-tha-mok-pāda	ပဋိစ္စသမုပ္ပါဒ်	Paṭiccasamuppāda	Dependent Origination
Pit-sok-pan-na-kam-ma-vāda	ပစ္စုပ္ပန်ကမ္မဝါဒ	Paccuppannakama vāda	Believe in the present life only
Pok-be-ni-wā-thā-nok-tha-ti-nyāna	ပုဗ္ဗေနိဝါသာနုဿတိဉာဏ	Pubbenivāsānussati ñāṇa	Knowledge of seeing the past lives
San:ka-le:-wā-da-wi-neik-sa-ya	စမ်းကလေးဝါဒဝိနိစ္ဆယ	San:ka-le:-vāda vinicchaya	Judgement on the concept of San:kale: Sayadaw
Saw:-da-nā	စောဒနာ	Codanā	accusation
Shit-le:lon:-a-ye:-dawpon	ရှစ်လေးလုံးအရေးတော်ပုံ		Four 8 (8.8.88) Revolution
Shwe-abi-damā	ရွှေအဘိဓမ္မာ	Shwe Abhidhamma	Golden Abhidhamma

Tha-mādi	သမာဓိ	Samādhī	Concentration
Than-ga	သံဃာ	Sam̐gha	Sangha (a group of four or more monks)
Than-ga-aphwe'.-asī:-akhyae-khan-sī:myin:	သံဃာအဖွဲ့အစည်းအခြေခံစည်းမျဉ်း		The basic principles of Sangha Organisation
Than-mā-deit-hti-thu-te-tha-na-athin:	သမ္မာဒိဋ္ဌိသုတေသနအသင်း	Sammādiṭṭhi sutesana Athin:	A Society of Right-view-research
Thanthāra	သံသာရ	Sam̐sāra	Life circle
Thāthanā	သာသနာ	Sāsana	Buddha' teachings
Thāthanāye:wungyi: htāna	သာသနာရေးဝန်ကြီးဌာန		Ministry of Religious Affairs
Thaw:danā	သောဓနာ	Sodhanā	The accuser
Thaw:tāpanna	သောတာပန္န	Sotāpanna	A Stream winner
Thein-tha-mok-khyin:-saing-yā-wi-neik-sa-ya	သိမ်သမုတ်ခြင်းဆိုင်ရာ ဝိနိစ္ဆယ	Thein-tha-mok-khyin:-saing-yā- vinicchaya	Judgement on the concept of simā consecration
Thīla	သီလ	Sīla	Morality
Thīmā	သီမာ	Simā	Monastic boundary
Thok-ta	သုတ္တ	Sutta	Discourse
Ū:mālāvara-yetāshī-vāda-wi-neik-sa-ya	ဦးမာလာဝရ ရေတာရှည်ဝါဒ ဝိနိစ္ဆယ	Ū:mālāvara-yetāshī vāda vinicchaya	Judgement on the concept of Ū:mālāvara-yetāshī
Wātha	ဝါသ	Vāsa	Rain retreat
Weikzā	ဝိဇ္ဇာ	Vijjā	Magician
Wi-neik-sa-ya	ဝိနိစ္ဆယ	Vinicchaya	Judgement
Wi-nī:-da-ma-kan-adi-ka-ron:-hmu-khin:-myā:-phye-shin:-son:-phyat-ye:-saing-yā-lok-hton:-lok-nī:-myā:	ဝိနည်းဓမ္မကံ အဓိကရုဏ်းမူခင်းများ ဖြေရှင်းဆုံးဖြတ်ရေးဆိုင်ရာ လုပ်ထုံးလုပ်နည်းများ		The principles in relation to the judgement on the disputes
Wi-pat-tha-nā	ဝိပဿနာ	Vipassanā	Vipassana (Insight Meditation)
Wi-wā-dā-di-ka-ra-na	ဝိဝါဒိဓိကရဏ	Vivādādikaraṇa	Disputes on different concepts
Winaya	ဝိနယ	Vinaya	Disciplinary rules

Appendix IV

Legislation governing the Burmese Sangha during Shin Ukkaṭṭha's Lifetime¹¹⁹

- Myanmar Penal Code (Section 15, Act 295, 295A, 296, 297 and 298). This Code is extended to all religions regardless of religious persons or laypersons. This Penal Code, known as India Act XLV.1860, was commenced in 1861 by the British government in order to protect the religions from insulting and disturbing. Each of the first two codes is subject to 2 years of imprisonment and the last three to 1 year of imprisonment respectively.
- Under the Kongbaung kings since Bodawhpaya, authority rested in the **Thudhammā Council and Thāthanābaing(s)**, the royally appointed head(s) of the Sangha.
- The jurisdiction of the **Thāthanābaing**, the royally appointed head of the Sangha, came to an end in 1935 under British rule.

¹¹⁹ I have used the following sources to establish this list:

Board of the State Saṅghamahānāyaka Committee. (1983). *Winī: damakan adikaron: hmu khin: myā: phye shin: son: phyat chet myā: ko kākwè saung. shauk thi upade*. Yangon: Religious Affairs Press. pp. 1-7.

Board of the State Saṅghamahānāyaka Committee. (2008). *Vinicchaya let swe*. Yangon: Religious Affairs Press. pp. 25-87.

Board of the State Saṅghamahānāyaka Committee. (1990). *Thanga aphwè. asī: saing yā upade*. Yangon: Religious Affairs Press. pp.1-5.

Board of the State Saṅghamahānāyaka Committee. (2000). *Gaing baung son than ga asi awe pwe gyi hmat tan*. Yangon: Religious Press. pp.5-9.

Board of the State Saṅghamahānāyaka Committee. (2008). *Nyun kyar lhwar myar*. Yangon: Religious Affairs Press. pp.322-323.

Carbine, Jason A. (2011). *Son of the Buddha*. Gottingen: Hubert & Co. GmbH & Co. KG. p.81.

Maung Maung. (1981). *Thanga ar pha yar yon ke thi*. Yangon: Pyithu Alin Press. pp.191-220.

Mendelson, E. Michael. (1975). *Sangha and State in Burma: A Study of Monastic Sectarianism and Leadership*. Ithaca; London: Cornell University Press. pp.179-245.

The Vinicchaya Htāna and Vinicchaya Tribunal Act, 1311 BE and The Provisional Vinicchaya Act, 1313 BE. (1959). Yangon: Office of the SUPDT.GOV. Printing Staty. pp.1-34.

- A draft **Vinayadhara Act** *Wi-na-ya-da-ra upadegyan* was drawn up in 1931 under the British rule. It did not come into force due to the objection of monks.
- **Sangha Vinicchaya Act** *Thanga wi-neik-saya Upadegyan*: was drafted in 1947, a year before Burmese Independence. It came into force in 1949, a year after Independence as the **Vinicchaya Htāna Act, 1311 BE [Burmese Era]** (ACT No. LXV of 1949). *1311 (ta htaung. thon:ya tasè. tit khu hnit) wi neik saya htāna et upade*. It describes the establishment of town Vinicchaya courts, district Vinicchaya courts and state Vinicchaya courts, and the election of Vinayadhara Sayadaws (judges) and Ovādācariya Sayadaws (advisers) by the Sangha.
- **The Provisional Vinicchaya Htāna Act, 1313 BE** (ACT No. XLVI of 1951). *1313 (ta htaung. thon:ya tasè. thon: khu hnit) Yāyī wi neik saya htāna et upade* passed in 1951. According to the Act, the President of the country may select the Vinayadhara Sayadaws, who preside over the Vinicchaya courts.
- **Vinicchaya Htāna (amendment) Act, 1316 BE (1955 CE)**. *1316 (ta htaung. thon:ya tasè. chauk khu hnit) wi neik saya htāna (phyin sin gyet) et upade* in 1955. According to this Act, the Vinayadhara Sayadaws are to be selected by the plaintiff and defendant in mutual agreement. The Act makes possible the resolution of issues through not only Ecclesiastical Courts (Vinicchaya Htāna) for any Sangha affairs but also by Ecclesiastical Tribunals (Vinicchaya Tribunals) for investigation to the offenders. The Act was known as **The Vinicchaya Htāna and Vinicchaya Tribunal Act, 1311 BE (1949 CE)**. *1311 wi neik saya htāna hnin. wi neik saya khon et upade*.
- **Ne Win's Revolutionary Council ended The Vinicchaya Htāna and Vinicchaya Tribunal Act, 1311 BE (1949 CE)** in 1965.
- **The recognition of Sangha Organisation Principles** (draft) *Sangha Aphwè. asī: achegan sī:myin: (mūgyan:)* in 1980 through “All-gaing-Sangha Meeting”

under the Socialist Republic of the Union of Burma. Since then, nine Sangha *gaing* were officially recognised in Burma. Vinicchaya courts were also officially allowed nationwide at state level, division level and town level.

- **Judgement Protection Act 9/1983** (*Wini: damakan adikaron: hmu khin: myā: phye shin: son: phyat chet myā: ko kākwè saung. shauk thi upade*) passed in 1983 by the Socialist Republic of the Union of Burma which includes four sections in order to protect the judgements:
 - 1) Name of Act and the explanation of terms
 - 2) Restrictions
 - 3) Punishments or penalties (6 months to 5 years imprisonment)

For example, according to Act 9, a fake monk or a fake novice shall be imprisoned for 3 years: according to Act 10, whosoever acts against the statement issued by the Ministry of Religious Affairs in connection with a judgement made by the Special Vinicchaya Committee shall be imprisoned for 5 years.
 - 4) General explanation in relation to the Acts

- **Sangha Organisation Act 20/90** (*Sangha aphwe asī: saing yā upade*) passed through in 1990 by State Law and Order Registration Council which includes five sections. This new Act issued new penalties, especially designed to demolish existing Sangha associations, such as, Sangha Sāmaggi Aphwè. and the Youth Monks Association, and to prevent the establishment of new Sangha organizations and *gaing*.
 - 1) Name of Act and the explanation of terms
 - 2) Recognition of *gaing*
 - 3) Restrictions
 - 4) Punishments or penalties (6 months to 3 years imprisonment).

For example, according to the Act, whosoever establishes a new Sangha organization or *gaing*, shall be imprisoned for 6 months to 3 years.
 - 5) General explanation in relation to the Acts.

Appendix V

Burmese Dates and Transliteration

Dates in Burmese Publications

Burmese publications often use Buddhist Era (BE) dates, which I have transferred into Common Era (CE) dates when referencing them. Some Burmese books were paginated with the Pali/Burmese alphabet in the Foreword and Introduction, the equivalent of Roman rather than Arabic numerals in preliminary pages in Western publications. This is why references will sometimes contain letters rather than numbers, such as Nyaungyan Sayadaw 1982: hsa-za.

Transcription of Pali and Burmese in this thesis

In this thesis, I shall use Vinicchaya to refer to the modern court cases but *vinicchaya* to refer to the term as used in Pali and Burmese textual traditions.

For ease of reading, I break up text titles which are written continuously in Pali and Burmese, into the more manageable components of the compounds. For example, the Pali *sutta*, the *Kālāmasutta* is written as *Kālāma Sutta*, the Burmese text the *Visuṃgāmasīmāvinicchayatepetakavinicchayakyan* as *Visuṃgāma Sīmāvinicchaya Tepetakavinicchaya Kyan*.

On the whole, I have followed the conventions of the Critical Pali Dictionary (CPD) for the transliteration of Pali, with the exception of those terms we can regard as anglicised, such as Buddha, Dhamma, Sangha, Nibbana, Pali, Theravada, etc. Some terms are both Pali and Burmese, and I have tried to select the most appropriate way of treating such terms according to context. I have also borne in mind accessibility for non-Burmese scholars of Theravada. The Romanisation of Burmese into English is problematic because the formal spelling reflects the history of the language but not its pronunciation. So that those familiar with Burmese can check Shin Ukkatṭha's publications and those that I have used, I have used both Burmese script and transcription in his list of publications and my bibliography. Throughout the rest of the thesis, I have transcribed. To understand Burmese transcription, I read the following L.D. Barnett (1913), G.S.G.S (1945) and John Okell (1971). Barnett wrote a preface in a catalogue for the Burmese collection at the British Library, in which he briefly described Burmese transliteration into English. It is indeed short, but it is

really useful as well. He explains a scheme to transliterate when the consonants follow the closed vowels, such as, *et, auk, aik, in, aung, aing, it at, eik, ok, an, ein, on* and *ain*. G.S.G.S wrote a *Short Glossary of Burmese* which is arranged alphabetically, *a* to *z*. For example, he includes the vowel *è*, which helps me differentiate between *ye* (water) and *yè* (police), while some people write only *ye* for both. Another writer is Okell whose work is extraordinary. He has collected different systems of transliteration, including Duroiselle's and Minn Latt's. I employ the use of diacritic marks as in his book, such as *Alaun:hpayā*: (King Alaunghpaya) and *Tanin:tha-yi* (Tanintharyi Division). All of the above mentioned books have been incredibly useful for me. But everything has its exception. To try to address issues of pronunciation and potential confusion between different words (below), I have drawn on the systems of transliteration in those books and attempted to format a short Burmese transliteration system (see below), which I have been using throughout my thesis. It is always difficult when Burmese words are transliterated into English. Burmese pronunciation does not follow some written words, for example, Burmese pronounce *myat-swā-hpa-yā*: မြတ်စွာဘုရား (Buddha), when it is written as *myat-swā-bhu-yā*:, and *shwe-da-gon-hpa-yā*: ရွှေတိဂုံဘုရား as *shwe-ti-gon-bhu-yā*:. Another difficulty is that Burmese employs tones: normal-tone, high-tone and higher-tone when any consonant is combined with vowels, for example, *maw* မော် (self-boasting), *maw*. မော့ (faced-up) and *maw*: မော (tired) or *kan* ကန် (lake), *kan*. ကန့် (limit) and *kan*: ကန့် (blind). For this purpose, I will apply a dot for high-tone and a column for higher tone, leaving the normal tone as it is.

Another issue is that Burmese people normally pronounce *y*-sound for both semivowels *r* and *y*, when either of them combine with another consonant; therefore, it follows the sound when writing, for example, *kyaung*: ကျောင်း (school) (*kyaung*) and *kyaung*: ကြောင်း (cause) (not *kroung*:). I will follow Burmese sounds, not Burmese spelling as written, when I transliterate Burmese words into English. My aim has been to represent the pronunciation of Burmese, with minimal confusion between different words. I was less interested in presenting the historical derivation of the terms, because it obscures the pronunciation. To make this clear, I have provided a table below, at the bottom of this introduction.

With Burmese terms that have become Anglicised, I again use the Anglicised spelling. The most common example is the word Sayadaw (Hsayadaw), which means “royal teacher” and is given to certain senior monks who head significant

monasteries.¹²⁰ The word before Sayadaw refers to a place, e.g. the place Ledi in the name of the famous 19th century monk Ledi Sayadaw. In the case of Ledi Sayadaw it might perhaps be better to say ‘the Ledi Sayadaw’, ‘the teacher from Ledi’. However, since English usage treats it more as a name, I have followed this practice for other famous Sayadaws, so ‘Okhpo Sayadaw’, not ‘the Okhpo Sayadaw’. In the case of Ledi Sayadaw and Okhpo Sayadaw, they are the only monks referred to by this name, but in some cases further monks of the same location became famous. In that case, we have to use the expressions ‘first Sayadaw’ and ‘second Sayadaw’: for example, the first Sinde Sayadaw and the second Sinde Sayadaw. For the name of the Committee or Council that runs the Vinicchaya courts that are the subject of Chapter Three, and under which Shin Ukkatṭha was the second case, I have used a rather hybrid English-Pali representation of the Burmese: State Saṅghamahānāyaka Committee. This is because the middle term ‘great leaders of the Saṅgha’, or ‘Abbots’, will have meaning to other Theravada scholars and practitioners from beyond Burma. I see this as relevant especially given that the regulation of the Sangha is an issue that influences all countries where Theravada is a dominant or national religion.

Place names

I tend to refer to countries by their current appellation. For example, I use the modern nation name Sri Lanka, rather than Ceylon, even while referring to it during the phase when it was called Ceylon. The exception is the name of Burma itself. I prefer to use the word *Burma* (old name) for the name of the country *Myanmar* (current name) because it is rather difficult to differentiate between the name of country, the people in it and the literature of the people if I use *Myanmar*, which represents all of them both as a noun but falls short as an adjective. So I like to use the word *Burma* to represent only the name of country, and for the people and the literature, the word *Burmese* is used. Then ‘Burmese’ can also be used as an adjective in relation to them all. While above we have seen the city name Rangoon to refer to the city following the transcription of the British pronunciation, in the rest of this thesis I refer to it as Yangon in accordance with modern Burmese standard transliteration. I also follow the system of the standard transliteration for the

¹²⁰ Ferguson, citing Htin Aung (1966; 18-19) in a footnote to Mendelson’s work, observes that the broadening out of the title Sayadaw took place in the 19th century (Mendelson 1975: 42).

divisions, states, cities, towns, villages of Burma as these are being used in the map of Burma printed by the Myanmar Information Management Unit (2007).

Burmese Transcription

I have formatted the Burmese transcription that I use in the charts below. The full Burmese alphabet is followed by a table for vowels, and then consonants and after that the combination of vowels and consonants. In the consonant charts, the single consonants, double consonants and treble consonants can be viewed as Burmese people mostly use them. The consonants without vowels are marked with diacritics, for instance, **K** က is without a vowel, but it becomes **Ka** က without diacritic mark. I give 'K' as a sample for how the consonants join with the vowels. The rest of the alphabet follows the same pattern as 'K'.

Table 10. Burmese Alphabet

Ka က	Hka ခ	Ga ဂ		Nga ဂ
Sa စ	Hsa ဆ	Za ဇ		Nya ည
Ta တ	Hta ထ	Da ဒ		Na န
Pa ပ	Hpa ပ	Ba ဝ		Ma မ
Ya ယ	Ra ရ	La လ	Wa ဝ	Tha သ
Ha ဟ	La ဇ	A အ		

Table 11. Vowels (with three sounds)

Normal sound	High sound	Higher sound
a အ	ā ¹²¹ အာ	ā: အား
i အိ	ī ¹²² အီ	ī: အီး
u ¹²³ အု (ဥ)	ū အူ (ဦ)	ū: ¹²⁴ အူး (ဦး)
e ¹²⁵ အေ	e. အေ့	e: ¹²⁶ အေး (ဇ)

¹²¹ Sometimes it is transliterated as 'ar', for example, Thanintharyi Division.

¹²² Sometimes it is transliterated as 'y', for example, Ayeyarwady Division.

¹²³ Burmese people pronounce it with three sounds 'u' or 'ū' or 'ū:', for example, u for egg, ū for intestine and ū: for an honourable word in front of Burmese men names, i.e. U Thein Sein (the president of Burma).

¹²⁴ Sometimes it is transliterated as 'Oo', for example, Phaung Daw Oo Pagada.

¹²⁵ Sometimes it is transliterated as 'aye', for example, Ayeyarwady Division.

è	အယ်	è.	အဲ	è:	အေ
o	အို	o.	အို	o:	အိုး
aing ¹²⁷	အိုင်	aing.	အိုင်	aing:	အိုင်း
an	အန်	an.	အန်	an:	အန်း
aung	အောင်	aung.	အောင်	aung:	အောင်း
aw	အော်	aw.	အော့	aw:	အော
ein	အိန် (အိမ်)	ein.	အိန်း (အိမ်)	ein:	အိန်း (အိမ်း)
in	အင်	in.	အင့်	in:	အင်း
on	အုန်	on.	အုန်း	on:	အုန်း
un	အွန်	un.	အွန်း	un:	အွန်း

Table 12. Vowels (with single sounds)

Aik	အိုက်
auk	အောက်
eik	အိပ် (အိတ်)
ok	အုတ် (ဥတ်၊ အုပ်)
At	အပ်
Et	အက်
Ut	အွတ်

Table 13. Single Consonants

K	က	hk ¹²⁸	ခ	G	ဂ		Ng	င	
S	စ	Hs	ဆ	Z	ဇ		ny	ည	
T	တ	Ht	ထ	D	ဒ		n	န	
P	ပ	hp ¹²⁹	ဖ	B	ဗ		m	မ	
Y	ယ	R	ရ	L	လ	W	ဝ	th	သ
H	ဟ								

Table 14. Double Consonants (1)

Ky	ကျ် (ကြ်)	hky (ch)	ချ် (ခ်)	Gy	ဂျ် (ဂြ်)		
Ty	တျ် (တြ်)						

¹²⁶ Sometimes it is transliterated as 'ay' or 'aye', for example, Magway Division (Megwe Division) and Kabar Aye.

¹²⁷ Sometimes it is transliterated as 'ine', for example, Rakhine State, not Rakhaing State.

¹²⁸ Sometimes it is transliterated as 'kh', for example, Rakhine State, not Rahkine State.

¹²⁹ Sometimes it is transliterated as 'ph', for example, Phaung Daw Oo Pagoda.

Py ချိ (ပြ)	Hpy ချိ (ပြ)	By ချိ (ပြ)		my မျ (မြ)
		Ly လျိ		

Table 15. Double Consonants (2)

Kw ကွံ	Hkw ကွံ	Gw ဂွံ		Ngw ဂွံ
Sw နွံ	Hsw နွံ	Zw နွံ		nyw ညွံ
Tw တွံ	Htw တွံ	Dw ဒွံ		nw နွံ
Pw ပွံ	Hpw ပွံ	Bw ဝွံ		mw မွံ
Yw ယွံ (ရှံ)		Lw လွံ		Thw သွံ

Table 16. Double Consonants (3)

				Hng ဂ်
				Hny ည်
				Hn န်
				Hm မ်
hy (sh) ယှ (ရှ)		HI လှိ		

Table 17. Treble Consonants

Kyw ကျိ (ကြိ)				
Pyw ပြိ	Hpyw ပြိ			Myw မြိ

Table 18. Combination of vowels and consonants (1)

Normal sound	High Sound	Higher Sound
ka က	kā ကာ	kā ကား
ki ကိ	kī ကီ	kī: ကီး
ku ကု	kū ကူ	kū: ကူး
ke ကေ	ke. ကေ့	ke: ကေး
kè ကယ်	kè. ကယ့် (ကဲ့)	kè: ကဲ
ko ကို	ko. ကို့	ko: ကိုး
kaing ကိုင်	kaing. ကိုင့်	kaing: ကိုင်း
kan ကန် (ကမ်)	kan. ကန့် (ကမ့်)	kan: ကန်း (ကမ်း)
kaung ကောင်	kaung. ကောင့်	kaung: ကောင်း
kaw ကော်	kaw. ကော့	kaw: ကော
kein ကိန်	kein. ကိန့်	kein: ကိန်း
kin ကင်	kin. ကင့်	kin: ကင်း
kon ကုန်	kon. ကုန့်	kon: ကုန်း

kun	ကွန်	kun.	ကွန့်	kun:	ကွန့်း
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Table 19. Combination of vowels and consonants (2)

Kaik	ကိုက်
Kauk	ကောက်
Keik	ကိုတ်
kok	ကုတ်
Kat	ကတ် (ကပ်)
ket	ကက်
Kut	ကွတ် (ကွပ်)

Table 20. Combination of vowels and consonants (3)

Normal Sound		High Sound		Higher Sound	
Kya	ကျ (ကြ)	Kyā	ကျာ (ကြာ)	kyā:	ကျား (ကြား)
Kwa	ကွ	Kwā	ကွာ	kwā:	ကွား
Kywa	ကျွ (ကြွ)	Kywā	ကျွာ (ကြွာ)	kywā:	ကျွား (ကြွား)